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56	Baird	Robert	East Side Parkways Coalition
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64	Baker-Pickering	Theresa	
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156	Busch	Dana	
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173	Cadzow	Daniel	
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181	Canfield	Drew	Central Terminal Restoration Corp.
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263	Cray-O'Riley	Melvina	
269	Crowley	Jon	
293	Davies	Marc	East Side Parkways Coalition
296	Davies	Marc	
298	Davis	Brandon	
305	de Regil	Valenta	
308	Degnan	Brian	
310	Delaney	Gregory	
313	Delaney	Gregory	
320	DeMerle	Kate	
321	DeMerle	Kate	
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325	DeTine	Nancy	
328	Dickinson	Susan	
329	Diebold	John	
330	DiFranco	Ryan	
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348	Draper	David	
352	Dubick	Heather	
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415	Frears	Vickie	
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448	Galbraith	Adam	
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484	Graham	Thomas	
496	Guess	Anita	
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504	Habberfield	Mike	
510	Hall	Joseph	
512	Hammer	G	
513	Hannon	Jeff	
533	Hartnett	Timothy	
536	Hassan	Thea	
537	Hastings	Hayley	
539	Hawley	Chris	
543	Heffernan	Michele	
547	Hennig	Marc	
548	Henry	Howard	
549	Herbert	Alec	East Side Parkways Coalition
551	Herbert	Jane	East Side Parkways Coalition
564	Hocko	Susan	
565	Hocko	Susan	
570	Hollins	Darryl	
580	Hreshchyshyn	Yuri	
584	Huffman	Karen	
591	Jason	Annemarie	
604	Jacobson	Raymond	
606	Jacobson	Raymond	
608	Jakiel	Stephen	
615	Jarboe	Molly	
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619	Jervis White	Gwendolyn	Hamlin Park
621	Johnson	Starr	
622	Johnson	Angeleah	
623	Johnson	Jackie	
631	Johnson	Ena	
638	Johnson	Holly	
639	Johnson	Cecelia	
653	Judelsohn	Judith	
658	Kardas	Clayton	
660	Kasprzak	Linda	
663	Keller-Cogan	Meg	
665	Kelly	Erin	
672	Kenny	Matthew	
673	Kieffer	Larry	
674	Kieffer	Larry	
678	King	Derek	Preservation Studios
679	King	Daniel	
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692	Kroetsch	Ashley	
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699	Kut	David	
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717	Lane	Steve	
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719	Lane	Steve	
725	Lea	Teena	
729	Lefler	Mark	
730	LeGasse	Jeremy	
732	Lenker	James	
733	Leonard	Daniel	
734	Leonard	Gregory	
737	Lester	Thomas	
744	LiButti	Joe	
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747	Lincoln	Catherine	
748	Lippes	Joel	
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751	Lis	Nathan	
758	Loughran	Jean	
759	Lovallo	Sharon	
761	Love	Andrew	
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763	Lubniewski	Laura	University at Buffalo
765	Ludwig	Katie	
771	MacCubbin	Elizabeth	
774	Madell	Tyler	
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793	Marriott	Edward	East Side Parkways Coalition
798	Marsh	Dwayne	
803	Martin	Mary	PBN
804	Martin	Bonita	
807	Martin	William	
808	Martin	Laurie	
810	Martin	Mary	
813	Massey	Nanette	
814	Mast Bragg	Sarah	
821	Maynor	Barbara	
830	McCooey	Anne	BRRAlliance
835	McDonald	Mike	
837	McDowell	Luana	
839	McGilvray	Richard	
840	McKegney	Robert	
845	McNab	Daphne	
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869	Milliron	Jeffrey	
870	Miloszewski	Nathan	
873	Mitchell	Todd	
878	Moon	David	
884	Moppins	Candace	
889	Moses	Patrick	
895	Moulin	Margo	
907	Nagel	Eric	
908	Nardozzi	David	
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914	Needell	Tom	
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934	Oakley	Thomas	
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977	Peck	Maia	
987	Peterson	Lorna	
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1094	Sadoff	Andre	
1100	Saunders	David	East Side Parkways Coalition
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1108	Schecter	Kim	
1109	Schifeling	Daniel	
1118	Schwarzmueller	Monica	
1120	Scott	Roger	
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1130	Selin	Scott	AIA
1131	Seney	Brendan	GoBike Buffalo
1135	Serafin	Samuel	
1140	Sharpe	Deb	
1142	Shatkin	Deeny	PBN
1149	Sherrill	Richard	
1153	Shippens	Eve	
1154	Shoptaugh	James	East Side Parkways Coalition
1156	Short	Thomas	
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1159	Sickau	Paul	
1161	Simmons	Taniqua	
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1163	Simmons	Taniqua	
1167	Simons	Patrick	East Side Parkways Coalition
1168	Simons	Patrick	
1171	Simpson	Mary	Cultural Landscape Foundation
1172	Sims	Sue	
1174	Sims	Sue	East Side Parkways Coalition
1178	Sipos	Jeff	
1179	Skompinski	Carl	
1207	Slawson	Dana	Greenwood & Associates, LLC
1208	Slosson	John	
1209	Smith	George	
1210	Smith	Jennifer	
1211	Smith	Shirley	
1222	Sobocinski	Ian	East Side Parkways Coalition
1223	Sobocinski	Ian	
1225	Sobocinski	William	East Side Parkways Coalition
1226	Solly	Nick	
1232	Sporysz	Mark	Khind Industries
1235	Steffan	Thomas	
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1329	Truman	Donna	
1334	Tyler	Kathleen	EM Tea Coffee Cup Cafe
1337	Udin	Susan	
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1341	van de Bogert	Brian	
1342	Van Tine	Craig	
1346	Vandrei	Susan	East Side Parkways Coalition
1350	Vera	Lourdes	
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1353	Verrelli	Matthew	East Side Parkways Coalition
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1376	Walkowski	Jim	
1380	Walsh	John	
1392	Watson	Timothy	
1395	Webster	Noah	
1398	Wedgewood	Ian	
1400	Weiksnar	Jud	
1401	Weinstein	Marc	
1402	Weiss	Jeffrey	
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1408	Wilcox	Crystal	
1410	Williams	Kayaira	
1416	Williams	Chris	East Side Parkways Coalition
1419	Williams	Oscar	
1422	Willis	Shari and Camille	
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1469	Zuchowski	Briana	
1473		Camille	
1477		Ian	
1513		Mark	East Side Parkways Coalition

From: Ariel Aberg-Riger
Sent: Thursday, November 9, 2023 2:27:56 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Aberg-Riger, Ariel
Address:
Phone
Email:
Include on future project updates: YES
Affiliation: Resident, Parent
Comment: As a parent, I am always thinking about the future. What is the world we want to build and leave for our children? How are we responsible stewards of this place we call home? The notion that the future should be an endless parking lot filled with fossil fuel guzzling machines was dead on arrival 50 years ago. Urban renewal decimated Buffalo. We are encircled by cement, and exhaust, segregated from one another. Why would you pour over a billion dollars into that same mistake today, and not even fix the problem? Spend a fifth of that money and fill in the 33. Restore Humbolt Parkway. Reconnect the city. We want a full EIS. We want reduced air pollution. We want FULL REMOVAL. The future of Buffalo is a city that is a CLIMATE HAVEN. A refuge of art and parks and community care. It is not some freeway redux. We have the opportunity to truly redress the harms of the last century. Fill in the expressway! Restore our city!!

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www.arielabergriger.com

You have been tasked to work on the following record : NYSDOT-23-041796

Subject: HIGHWAYS/ROADS
Name: Cameron Airhart
Address:
City:
Zip:
Email Address:
Comment: Much more thought and discussion needs to be done before we should go ahead with the proposed changes to the 33. The Buffalo News got it right today and you need to take the Congressman?s ideas about using the arterials seriously. We are a city built for moving 600,000 people and we could reinvigorate those roads and the businesses along them.

Assigned To: HIGHWAYS/ROADS
Name :
Task: FOLLOW-UP
Notes :
Assigned Date: 11/2/2023
Deadline:

From: Joseph Allen
To:
Subject: Opposition to Current Project Plan
Date: Tuesday, October 31, 2023 10:30:32 AM

While the promise of the project to connect neighborhoods was highlighted early on, including a quote that one day a child could ride their bicycle from MLK to Delaware Park safely, this project falls far short.

The currently proposed bicycle "improvements" sets in stone sub standard bicycle lanes in door zones of parked cars while providing no access to the 70+ feet of green space for shade and enjoyment by people riding bicycles through the corridor. There is no innovation or even best practice use of creating a low stress bicycle network that would make any one but the confident rider comfortable let alone a child.

The project team needs to rethink the bicycle network from the perspective of a family or middle school child navigating this area. A true parkway connection should invite people into the space and make car traffic and parking secondary to this active use.

One possibility would be to use the parkway side of the roadway rather than the parking side to introduce a protected bike lane that feels integrated into the parkway. Sidewalks should be placed next to the protected lane in this case to ensure everyone has a place. Alternatively, a shared use path should be placed along the center or sides of the parkway with crossing facilitated by mini roundabouts with fully protected bikeways. If the project is to reach its potential in use, the corridor needs to be designed with the idea that there are three to four roadways (two for cars and one to two for bicycles).

The connection to Delaware Park needs more than a nod to the future with an actual bicycle network to reach the corridor created with the proposed removal of the 198.

In general, the cost of this project is prohibitive for the hostile environment created by a wide median passive park without accomodation for the actual active uses by the residents and citizens in the Buffalo area.

Thank you for the opportunity to comment on this important project.

Take care,
Joseph Allen

From:	Comment via East Side Parkways Coalition
To:	dot.sm.kensingtonexpressway
Subject:	Comment for the Kensington Expressway Project from Helen Andriette
Date:	Wednesday, November 8, 2023 12:22:55 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

I support a rail line extension from downtown to the airport, as well.

Name

Helen Andriette

Email

Date

11/8/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From:
Sent: Thursday, October 26, 2023 11:57:40 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Andrle, Christopher
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:

Comment: Cap and cover is a huge waste of money and resources. The only good fix is to fill the expressway, restore the parkway and put the traffic back on to the original spoke and radial street grid.

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From: Stephen Arlington
Sent: Wednesday, October 25, 2023 4:25 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Arlington , Stephen
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: University Heights Collaborative
Comment: Instead of subsidizing the suburbs, the state and city could better spend the funds elsewhere. If you truly want to encourage revitalization in the city and have more residents living in Buffalo and downtown, stop prioritizing unnecessarily expedient car traffic in and out of the city. Don't cap the 33, take it out all together.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Inbal
Sent: Thursday, November 9, 2023 10:45:41 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Austern, Inbal
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Fill the road and make surface roads instead!
Reconnect the east side to the city.
We don't need a billion dollar tunnel, invest that money in the East side.

* this email was generated by kensingtonexpressway.dot.ny.gov
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-----Original Message-----
From: Mike Baco
Sent: Wednesday, November 8, 2023 6:40 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Baco , Michael
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Concerned Neighbor - no affiliation
Comment: It is my firm belief that the Humboldt Parkway should be fully restored to its original design, and current traffic should be rerouted through the existing arterial grid, which should be thoughtfully updated to current standards.

I also believe it is not appropriate to conduct any work without the correct environmental impact study.

A complete restoration of the parkway would be a benefit to the city and its residents more than a tunnel that continues to move cars at the expense of the surrounding communities that remain cut off and isolated.

Thank you for listening!

* this email was generated by kensingtonexpressway.dot.ny.gov

MJB
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: peter badame <
Sent: Wednesday, November 1, 2023 2:02 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Badame, Peter
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I think this is a terrible idea, a waist of money and a safety concern. What we have currently is adequate enough. There is more than enough green space in this city. Try using that money to fix the bridges and roads that need repair in this area.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Rob Baird
Date: Monday, October 23, 2023 6:28:03 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Rob Baird

Email

Date

10/23/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Morgan Baker
Date: Thursday, November 9, 2023 3:59:06 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

The stated objective of this project attempts to balance reconnecting the community surrounding Humboldt Parkway and maintaining the existing vehicular capacity of the 33. Based on my reading of the project materials, the Buffalo Green Code, and the NYS Climate Act, these goals are fundamentally incompatible. As currently imagined, this project yields to the preferences of suburban commuters, politicians, and the DOT at the direct expense of city residents’ right to transportation and climate justice.

Regarding transportation justice - The draft Environmental Assessment (EA) for this project recognizes the need for enhanced public transit options in the project

area. The EA notes further that the neighborhoods that surround the project are among those with the highest transportation equity needs. The NYS Climate Leadership and Community Protection Act, moreover, calls for enhanced “availability, accessibility, reliability, and affordability of public transportation services with an emphasis on unserved and underserved communities.” There is no plan for improved public transportation in this project. For the 39% of area households that do not have access to a private vehicle, this project does nothing to improve access to desperately needed opportunities.

Regarding climate justice - Projects that privilege privately owned cars over pedestrian, cycling, and public transit infrastructure are fundamentally at odds with the City’s Green Code, which “encourages…strategies that shift single occupant vehicle trips to modes such as walking, cycling, transit, and ridesharing.” Buffalo’s commitment to these principles was cited when Buffalo was certified as a Climate Smart Community in September 2022. Moreover, the NYS Climate Act states that reducing car usage (“vehicle miles traveled”) will be a key component of NYS’s response to climate change. Policies at the local and state levels advise against projects like the one proposed. So who is pushing this project through, and why? Who is this project for?

The proposed project is a monument to car culture disguised as a token of environmental affection. It is designed to move cars, not people, and spends nearly a billion dollars on that purpose alone. The scope - particularly "maintaining existing vehicular capacity" - is short-sighted and misaligned. It's simply a non-starter given the threat of climate change and the lack of equitable transportation options in Buffalo. We deserve so much more.

It would be an embarrassment, frankly, for the DOT to commit Buffalo to a project that so clearly undermines the future of the city. Our governor, mayor, and other elected officials should be offended at the prospect of spending a billion dollars on car-centric infrastructure in a neighborhood where 39% of people rely on public transportation. With all the problems I and others have raised, the ethics of Nicolas Choubah (the chief engineer), the NYSDOT, the Labella Association, and the other engineers on this project should be called into question.

Name

Morgan Baker

Email

Date

11/9/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten

Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

© East Side Parkways Coalition.

-----Original Message-----
From: Eliza Pickering
Sent: Monday, November 6, 2023 8:59 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Baker-Pickering, Theresa
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Resident
Comment: Please put the breaks on this project! We need an Environmental Impact Statement. A small cap doesn't make sense for this expressway. The exhaust at the end of the tunnels is terrible! We need a real solution not a grossly expensive bandaid for a small section of the expressway. It would be amazing to restore the parkway. What a beautiful, united city we would have. Don't we deserve that?

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Sent from my iPhone
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Willie Ballard
To:
Subject: Meeting on September 27th and Use of a Portion of my property
Date: Tuesday, October 31, 2023 10:09:37 AM

[You don't often get email from Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

My name is Mrs. Willie Ballard, I own the property at [redacted] I'm writing regarding my attendance at the last meeting at the Science Museum on September 27th,

At 4:30 pm until 8:30 pm. In attendance, I felt that the public hearing was unproductive to the homeowners in our Community. When is there a public hearing without public officials

being in attendance. Is our community not as important as any other communities in the city of Buffalo? We pay taxes just as the surrounding tax payers, do our dollars not count ?

I have witnessed several town meetings and there were public official in attendance to address any questions homeowners may have. The excuses given, two was here but they left,

one official wasn't there because of illness. Homeowners had concerns regarding imminent domain, trees that are going to be put in a space unable to grow there roots and how will

It effect the piping in our community, also will the construction companies reflex the people in our Communities. Lastly, will the billions allocated to our community not used for the

project stay in our community, and address some of the other issues needed in our communities and, not be distributed to other communities that's not need as badly?

I received a certified letter from DOT regarding a temporary easement from the NYDOT that allows them access to my property, to perform the reconstruction of our community. My

Issue with this is there are many elders in our community that does not know what that means. I think it could have been explained better than this, so that we could better under-

stand what a temporary meant. What if we had Allodial title of our property would the NYDOT be able to give you permission to have access our property without our permission?

Lastly who determines the cost of renting our property, would we just have to take whatever you decide to give us, or do we set our own price? Like car rentals, house rentals, also

when you go to rent a hotel, you don't get to choose your price. I would like to know what are some of the inconveniences are our community faces, because I was around when the

the expressway was being built and when the movie the Turtles being filmed, none of our communities was considered during these process. I member the noises from these pro-

jects and the inability to sleep, having to attend school the next day. We need to know what the Long terms because a lot of people in the Community are still having affects from the

last projects. I would greatly appreciate some of these issues being addressed in a real town hall hearing were people can some of these concerns.

Sincerely,

Mrs. Willie J.Ballard

From: bill
Sent: Friday, October 27, 2023 1:56:32 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Banas, Bill
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Restore Humboldt Parkway to its pre-expressway, Olmsted design & re-connect MLK Park to Delaware Park. Fill-in the ditch — but before you do, install a tube for a train to the airport.

Where will the cars go? Many local streets throughout East Buffalo will easily accommodate & spread-out the traffic (which will benefit local businesses). Currently, the Kensington Expy carries 75,000 cars/day. For comparison, the Embarcadero Fwy in San Francisco used to carry 110,000+ cars/day & the Central Fwy carried 80,000 cars/day. Both were removed and replaced with boulevards. In Seattle, the Alaskan Way viaduct (90,000 cars/day) was completely closed during construction.

In all cases, congestion decreased because cars took other routes (or made fewer trips), and people switched to other modes such as walking, bicycles & public transit.

Furthermore, property values & health outcomes increased significantly. All this has occurred in every city that has removed a freeway.

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From:
Sent: Friday, November 10, 2023 7:43:24 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Banas, Charles
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: East Side Parkways Coalition
Comment: The current proposal is unjustifiably expensive ($1.2 billion) and will not restore Humboldt Parkway, MLK Park, & surrounding neighborhoods.

The proposed project covers only a small portion of the parkway & will not allow large shade trees that were originally on the parkway. And the expressway will still cut though the neighborhood. Noise & air pollution will be at the same levels or even more concentrated.

Moreover, it will cost many billions more to complete the project along the entire parkway's length —funding unlikely to ever materialize. And the design's significant drawbacks will still exist.

There must also be an EIS, including analysis of options, especially filling-in the expressway & fully restoring the parkway. The process has seemingly ignored successful examples of urban freeway removal. If the currently proposed project moves forward, future generations will wonder why we squandered our opportunity to undo a significant mistake & embrace our grand civic legacy.
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From: Billie Banks
Sent: Monday, October 23, 2023 6:24:05 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Banks, Billie
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Hamlin Park Resident
Comment: Benchmark with Rochester NY regarding their success at filling in their Urban planning disaster similar to the 33 expressway.
I implore you on behalf of my community, take the current NYS DOT Tunnel plan OFF the table and replace it with a plan to restore the Olmstead Park system to its original design.
Spend the rest of the $922 million dollars to study and widen the I-90, I-190, & I-290 (all roads lead to Buffalo). In the interim create some revenue; Install cashless/electronic tolls on the 33, create and monitor HOV lanes, and partner with the NFTA to increase bus service from suburbs to University Rail Station.
It's unfair to inconvenience our community with another massive infrastructure project designed to serve people who do not live or pay taxes in the city. Let's move this infrastructure project into the users backyard, not mine!

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From: Liz Barresi <
Sent: Friday, November 10, 2023 12:20:10 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Barresi , Liz
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Do it right. Connect the parks. This is what Olmsted intended. This is what once made Buffalo a world class city. The disconnection of the parks destroyed our infrastructure. You all know this. Invest in us! As residents of Hamlin Park and as Buffalonians. Let's stop taking shortsighted shortcuts for once.

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From:
Sent: Wednesday, October 25, 2023 2:50 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Bartula, Jeremy
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I am greatly disappointed in NYSDOT's plan to cap NY-33. The plan keeps all of the worst parts of the current highway, and shows pictures of tall trees that will not be able to grow in the shallow caps over the highway. This is a waste of a billion dollars. It won't be more benefit to the surrounding community than just passing out $100 bills. If NYSDOT was serious about improving the city of Buffalo, not just their own egos they would look into removing the highway piece by piece. Start with the last section from Oak street to Jefferson ave then do a phase 2 to best street by filling in and recreating a true parkway with soil that can support large tree growth. I190 can handle traffic from the north and south and surface streets can handle the rest along with the new parkway. I don't know why the state wants to spend a billion dollars to not make any significant changes to the area. At least Syracuse is getting I81 removed from the city.

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Jeremy Bartula

-----Original Message-----
From: Mike and Deb BARCZAK
Sent: Wednesday, November 8, 2023 11:32 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Barz, Deborah
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: WNY driver
Comment: I do not see any benefit to making the 33 into an underground expressway. It would be more beneficial to improve the existing streets in this area. Also, where will the money come from to maintain this tunnel in 10 years?

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Sent from my iPhone
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From: Nick/Gail Benedetti
Sent: Friday, October 27, 2023 6:31:32 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Benedetti, Nick
Address: , ,
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: What a colossal waste of money! People living in the affected areas don't seem to be in favor of it! Comments from the public seem to want to use the money to fix road problems in Buffalo!

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From: David Benes < >
Sent: Wednesday, November 1, 2023 8:18:48 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Benes, David
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Consider the health of the project neighbors and the restoration of the Olmstead vision! Restore the expressway to its original design as a parkway, and not a covered tunnel. Use the extra funds to restore the health of the Buffalo radial pattern street design by reestablishing viable commercial streetscapes along the existing streets! If it is a concern regarding the volume of traffic being rerouted, then develop another mass transit solution, such as a designated high speed train from the airport area to downtown (this should have been a part of the light rail rapid transit design).

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-----Original Message-----
From: William Berry <
Sent: Saturday, October 28, 2023 6:04 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Berry , William
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I witnessed the destruction of Humboldt Parkway in the mid-sixties. The only logical way to remedy this mistake is to fill in the ditch, eliminate the expressway entirely and restore the connection to Delaware Park as it was. Traffic can easily be directed to Genesee, Sycamore, Broadway and Jefferson as appropriate, helping to revitalize those streets that have come to resemble a bombed-out war zone. Additionally, a low-cost East side light rail line using existing railroad rights of way should be built through Larkinville and the Galleria area out to the airport, to further facilitate eliminating the Kensington Expressway in its entirety. These proposals are and have been developed and put on the table. NYSDOT should stop ignoring them and pay attention. The alternatives are a much better way to spend a billion dollars

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From: Anna Billman-Chiriboga
To: dot.sm.kensingtonexpressway
Subject: SAVE THE PKWY
Date: Thursday, November 9, 2023 9:27:23 PM

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hello,
Thank you for listening to our requests. We demand an environmental impact statement for this project.
We want a removal of the highway and a full restoration of Humboldt Parkway because the current proposal is in violation of the Climate Leadership and Community Protection Act mandates.
I appreciate you listening to your community and ask you to focus on what is right for our future.
Thank you,
Anna

From: on behalf of Terrence Bisson
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 11:23:01 AM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Dr. Terrence Bisson

From: raymond Black
Sent: Friday, November 10, 2023 8:26:03 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Black, Raymond
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Grew up on E Utica, own homes there
Comment: The tunnel is bad for the community, where is the environmental study. Restore Humboldt to a Parkway. This project would do more Harm to the Area, then Good.

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From: on behalf of Karima Bondi
To:
Subject: Kensington Expressway Project
Date: Monday, October 30, 2023 6:39:20 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Ms. Karima Bondi

From: John Bono < >
Sent: Saturday, October 28, 2023 9:08 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Bono, John
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Hi,

My name is John Bono. Please accept these comments regarding the September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52):

The Air Quality at Tunnel ends is made worse by focused Portal Exhaust Plumes.

The Tunnel cements in-place that Delaware and MLK Parks will never be connected by a Parkway.

NYSDOT's Tunnel does not comply with CLCPA mandates.

More details are needed from NYSDOT on the extensive asbestos containment required during construction.

Due to these observations and concerns, I demand an Environmental Impact Statement (EIS) Review for this project.

Please also provide a 45-day Extension for the DDR/EA Comment Period. The DDR/EA is over 300 pages, plus nearly 40 Appendices. Providing the public a month and a half to review these materials is not sufficient.

Thank you,

-John Bono

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From: Andrew Borchik
Sent: Wednesday, November 8, 2023 5:19 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: BORCHIK, ANDREW
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Buffalo State University
Comment: Covering the expressway would be a massive waste of investment and include a wasteful payment plan. Other options need to be explored and better use of investment needs to be made with actual future generations in mind.

There's an obvious history of state DOT pushing money to agencies and developers for personal gain and it needs to stop.

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Andrew Borchik

-Buffalo State College Music Department: Manager, Ciminelli Recital Hall
-Buffalo State College Performing Arts Center: Assistant Production Manager

From: Dan Brady
Sent: Friday, November 10, 2023 3:11:43 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Brady, Daniel
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: The current plan is regrettable for many reasons but I will focus on a single one. The biggest single source of emissions in New York State is tailpipe emissions from motor vehicles. The current plan represents a one billion dollar investment in "transportation infrastructure" that fails to reduce emissions in any way. In fact, given the heavy construction involved in this project, the project will increase overall emissions, counter to New York State's Climate Leadership and Community Protection Act.

It is widely accept across the country and the world that infrastructure projects should take steps to reduce the number of vehicle miles traveled in order to reduce tailpipe emissions. This project, which is expressly centered on maintaining the number of vehicle miles traveled, is counter to New York State's emissions targets, which are enshrined in law, and it represents a billion dollar investment towards continuing our path towards climate catastrophe.

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Daniel J. Brady
Hagerty & Brady
69 Delaware Ave.
Suite 1010
Buffalo N.Y. 14202

716 856 9443 office

716 856 0511 fax
dbrady@hagerty-brady.com

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From: Connor Brannigan
Sent: Thursday, October 26, 2023 6:15:44 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Brannigan, Connor
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Remove the 33 entirely and restore the parkway to it's former glory

And fire your developer for creating the worst contact form I've ever seen in my life

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-----Original Message-----
From: ccmEnterprise
Sent: Friday, October 27, 2023 6:40 AM
To:
Subject: WEBFORM - You have been tasked to work on the following record : NYSDOT-23-041758

You have been tasked to work on the following record : NYSDOT-23-041758

Subject: BRIDGES
Name: Brauer
Address:
City:
Zip:
Email Address:
Comment: Let?s use our money more wisely than a area over Route 33

From: Helena Brierton
Sent: Wednesday, September 13, 2023 8:47:20 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Brierton, Helena
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: My concern for this project is that it doesn't go far enough for the future of Buffalo. If you want to move the city forward you need to find ways to bring people into the city and provide services for those who live within. Why have you not considered an SBahn type plan in addition to the driving plan? Trains are a far more efficient method of transportation within a city. Why not start underground trains with a future vision to connect the city to the airport? Our transportation system is archaic. If we can build a stadium, we can find the funds to develop an underground train system. Buffalo at one time was the biggest, greatest city in America. It's time to modernize for the future while redeveloping our historical parks.
People from the suburbs love coming into the city for events. This brings revenue for the city and encourages the culture we are famous for. Please consider the addition of underground trains and hubs with the vision for expansion.

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CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Slow Roll Buffalo
To:
Subject: Slow Roll Buffalo"s Statement on the Future of Humboldt Parkway
Date: Wednesday, November 1, 2023 7:14:03 PM

Dear DOT officials,

Since the founding of Slow Roll Buffalo in 2014, we have advocated for safer streets and social connection as an antidote to segregation, most notably beginning with our 2016 Parkway Revival Ride that took over the Scajaquada Expressway for bicycles to envision a better-connected community. From that point on, we've been members of both the Scajaquada Corridor Coalition (SCC) and Restore Our Community Coalition (ROCC), the latter serving as the lead advocate for the restoration of Humboldt Parkway, which was destroyed to build the Kensington Expressway in a shameful act of systemic racial segregation - or as ROCC leaders called during a 2016 Slow Roll, "the greatest planning mistake in the history of Buffalo."

Slow Roll has stood with ROCC throughout the eight years since, regularly advocating for parkway revival in our rides while quietly attending coalition meetings both in community and with representatives of the New York State Department of Transportation (DOT). During yet another contentious public meeting with DOT officials in 2019 in which they continued to prove that their primary purpose and narrow focus is the convenient commute of drivers to and from the suburbs instead of the health and well-being of surrounding residents, we and others proposed that they step aside and allow more trusted representatives from the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) to lead the community engagement process and produce a more holistic set of options for restoring Humboldt Parkway - as they've done through the Region Central approach to the connected Scajaquada Corridor, after a similarly contentious public meeting there. Uniting the visions and plans for the future of these historic Olmsted-designed parkways would be in keeping with the One Road philosophy championed by leaders from ROCC. Sadly, as usual, these calls were ignored.

More recently, in response to national social unrest and local racial terrorism, government officials from Washington to Albany have finally begun viewing the restoration of Humboldt Parkway as a social justice issue, leading to a commitment of more than $1 billion for a transformative reconstruction of this highway through the heart of Buffalo. Yet still, after years of stonewalling ROCC and other community groups in their pleas to put the immediate community first, DOT officials have held firm in their commitment to the convenient commute of cars over the continued concerns of the residents most impacted

by air pollution, social segregation, and the economic effects of abandoning East Side commercial corridors in favor of an urban
highway.

As we call today for a slowing down of the suddenly speedy plans to turn part of the Kensington Expressway into a tunnel in order to only *partially* restore Humboldt Parkway - a billion-dollar bandaid on this open wound through the heart of our city - we thank ROCC members for envisioning and demanding better for our future, and still stand with the residents who have suffered most from this systemic oppression and still will if this project moves forward as currently proposed. While we applaud DOT officials for extending the current public comment period two more weeks through November 10th, it's merely another half-step. We hereby call for the following:

1. Repeating the calls of fellow community organizations, we request the public comment period be extended 90 days for deeper community engagement.

2. Repeating our 2019 call to install the GBNRTC as liaison between Buffalo residents and DOT officials, more recently echoed by leaders of fellow SCC & ROCC member Buffalo Olmsted Parks Conservancy, who said, "Viewing this as a highway project, only, is short-sighted and does not provide the comprehensive review necessary to determine how to best provide holistic transportation, community restoration and social justice remedies."

3. The DOT should conduct a Full Environmental Impact Statement, including options for both capping the Kensington Expressway and fully restoring Humboldt Parkway. Echoing our partners from the Clean Air Coalition, "A project of this scale within a Disadvantaged Community under the NYS Climate and Community Protection Act needs to have an in-depth environmental review beyond the scope of the Environmental Assessment currently presented. This review should include Air Quality monitoring and analysis as well as modeling and assurances of air quality safety during construction. The presence of asbestos in the retaining walls is of concern and the public safety from this hazardous substance should be further evaluated and more details given to the public. Concentrations of lead in the soil of the highway corridor should be investigated prior to construction."

Partial justice is still injustice. Partial connection still leaves us segregated. Slow Roll will continue in our commitment to connecting communities.

On behalf of our Board of Directors,
Janelle Brooks
President, Slow Roll Buffalo

--
Slow Roll Buffalo
www.slowrollbuffalo.org

From: on behalf of Clinton Brown FAIA
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project
Date: Thursday, November 2, 2023 3:23:20 PM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mr. Clinton Brown FAIA

-----Original Message-----
From: edmund budzynski < >
Sent: Monday, October 30, 2023 1:21 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Budzynski, Ed
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: The proposed Kensington expressway tunnel is a complete waste of taxpayer money in my view. While I respect Susan Surdaj and the DOT the taxes in NYS are much too high to waste even a small amount let alone 1 billion dollars. Perhaps a simple overpass connecting the two areas would make more sense.

The new stadium and other expensive projects are already on our backs. I'm not a Republican but believe we taxpayers are not a bottomless pit of money.

* this email was generated by kensingtonexpressway.dot.ny.gov

Sent from my iPad
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:	Dana Busch
To:	dot.sm.kensingtonexpressway
Subject:	Comment for the Kensington Expressway Project
Date:	Friday, November 10, 2023 8:55:32 PM

Affiliation:
I'm a born and raised Buffalonian who has lived in Boston since 2005 and uses public transit or a bicycle when I visit my hometown.

Comment:

When cities like Syracuse and Rochester are getting funded to remove their blighted urban highways, why is the NYSDOT under Kathy Hochul forcing suburban commuters into single-occupancy vehicles for the City of Buffalo? What if you gave them a better set of choices?

I gave up my car in 2006 when I learned about climate change. Wasting $1 billion of taxpayer money on sending 70,000 cars into the city every day sounds like climate denial and unethical practice by NYSDOT engineers and planners. It is also a public health injustice.

The year I moved to Boston, the Big Dig was nearing completion. Putting the highway underground did not reduce traffic, nor emissions. In fact, traffic increased exponentially, filling downtown Boston with even more polluting cars. Please fill in the 33. If Buffalo continues to increase in population without seriously expanding the public transit network frequency and access, this will be your fate, too.

Buffalo could be a beautiful climate refuge, but a city full of parking lots is unhealthy and ugly.

Sincerely,

Dana Busch
Boston

Note: Your web form for the comment refreshes the page upon submission and it is unclear whether or not the form was actually submitted. It also attempts to open my email client.

...

From:	Daniel Cadzow
To:	dot.sm.kensingtonexpressway; contact@dec.ny.gov
Subject:	Public Comment on NYS Route 33, Kensington Expressway Project
Date:	Tuesday, October 24, 2023 5:30:30 PM
Attachments:	Public Comment10_24_2023.docx

To NYSDOT (Kensingtonexpressway@dot.ny.gov) and NYSDEC (contact@dec.ny.gov)

Re: Public Comment on NYS Route 33, Kensington Expressway Project

New York State Department of Transportation (NYSDOT) must cease and desist with its current efforts to cap a small section of NYS 33 due to its failure to comply in good faith with New York State Department of Environmental Conservation's (NYSDEC) State Environmental Quality Review Act (SEQR). "SEQR requires all local, regional, and state government agencies to equally examine the environmental impacts along with the social and economic considerations for a certain project, or action, during their discretionary review."

https://www.dec.ny.gov/permits/357.html

NYSDOT has failed to consider the social and environmental impacts of the proposed project. Further, they have gone so far as to admit the net environmental impacts of capping part of NYS 33 will be worse than the status quo. NYSDOT has mislead the public with claims that the traffic on NYS 33 cannot be absorbed by the currently underutilized combination spoke-and-wheel-radial and gridded street network. NYSDOT has also failed to consider calls for reducing net congestion through the establishment of affordable at grade light rail connecting the airport to downtown Buffalo, as proposed by Citizens for Regional Transit.

http://citizenstransit.org/sites/default/files/070723%20CRT%2033%20Comments%20combo.pdf

https://ppgbuffalo.org/buffalo-commons/library/resource:the-eastside-airport-metro-rail-extension/

A faithful analysis of the environmental, social, and economic impacts must begin with an analysis of the conditions prior to the construction of NYS33. These conditions need to be compared to the conditions that resulted from its construction. This doesn't just mean examining the loss of the largest parkway in the nation's first system of interconnected urban parks and parkways. The construction of this expressway was coupled with racist and classist state, local and federal policies that included red lining (refusing mortgages to non-whites in specific areas), restrictive deed convenances (disallowing future sales of properties to non-whites), federal programs providing low interest loans exclusively for new builds (designed to encourage urban sprawl for white people only), and the direct assault on thriving non-white communities through the construction of urban expressways exemplified by NYS33.

https://ppgbuffalo.org/files/documents/environment/transit/urban_expressway_removal_in_buffalo__the_historical_context_2018.pdf

Since its construction, NYS33 has drained the east side of Buffalo of its commerce-providing traffic, wealth, and diversity to cultivate highly segregated suburbs. Property values declined, jobs were lost, schools suffered, and neighborhoods withered. They also grotesquely concentrated traffic pollution, congestion, and crashes in the neighborhoods along NYS33. No environmental impact study of work relating to NYS33 can be complete without a thorough analysis of the impacts its construction has had on the numerous affected communities. Only then can we begin to decide collectively whether such infrastructure should be maintained or disassembled.

NYSDOT has falsely claimed to have adequately engaged with the public through a handful of public meetings that were actually designed to limit public comment or even gathering at meetings.

https://risecollaborative.com/rise/how-can-we-stop-this-project-150?fbclid=IwAR3Ef0hrOm9utEfnbw7LUh8HPpp43eb35cKQ1_pUsKk0meMXJvZk6S3gsxs

These techniques were developed over decades of failing to convince the residents of North Buffalo to embrace proposed infrastructure along the Scajaquada Corridor that disrupts local connectivity while concentrating congestion, pollution, and crashes. First, they limited public comment time. Then restricted comments to handwritten cards, of which they read a few. They then eliminated the town hall format altogether, in favor of distributed posters and smiling suits who assured us our concerns would be heard. They even went so far as to falsify the public comment section in the Project Scoping Document and Draft Environmental Impact Statement by deleting some comments (including several popular petitions), needlessly repeating others, and even editing some for content.

https://www.buffalorising.com/2019/05/the-peoples-recap-of-the-scajaquada-corridor-redesign-round-one/

Every time citizens called for more connectivity, less pollution, more multimodal options, or environmental benefits like restoring Scajaquada Creek, the various regional managers NYSDOT cycled through all claimed there was no money on the table for our roughly $100,000.00 project and dragged the project design out over two decades, wasting roughly $5,000,000.00. The dishonesty and mismanagement of the Scajaquada Corridor redesign led NYS Governor Cuomo to remove NYSDOT as lead agency, replacing it with the Greater Buffalo Niagara Regional Transportation Council (GBNRTC).

GBNRTC rebranded the project Region Central and began a one-year process to examine the transportations infrastructure's impacts to social, economic, environmental, and health outcomes to all involved, be they renter, homeowner, business owner, commuter, or tourist. They interviewed locals and determined what they wanted (e.g., safe parks, connectivity, clean air, multimodal transportation options, jobs, etc.) and then built a transportation design that actually fostered these desires.

The project was embraced by a solid majority of those impacted, but NYSDOT's response has been crickets… Less than a year later, NYSDOT claims they want to fast track a $1,000,000,000.00 proposal to cap a small section of NYS33. That would make it the most expensive stretch of road ever built in the United States… And there is no community benefits agreement. There will be no east side companies hired. They will maintain the pollution, congestion, and crashes. They will just add the extra pollution associated with eth replacement of the concrete impregnated with asbestos, blasting, and other construction related pollution.

That's because NYSDOT has no interest in remedying the injuries, pollution related illnesses, and social and economic calamity they have inflicted on Buffalo's East Side. They are willing to spend $1,000,000,000.00 on this small section of roadway to make those injuries permanent. Coupled with NYSDOT's failure to consider the impacts its construction of NYS33 has had on the city of Buffalo, it makes it hard to conclude that NYSDOT is any less racist than it was in the days of redlining, restrictive deed convenances, and attacking non-white communities with eminent domain and expressway construction to punish them for simply attempting to live well.

A way forward for all of Buffalo can begin with building Citizen's for Regional Transit's well-researched proposal for light rail between Buffalo's airport and downtown. At the same time, we can begin reactivating the eastern radials with complete streets and modern traffic signals, as called for numerous times by Congressman Brian Higgins and others. The upgrading of NYS 33 can begin slowly, allowing people to explore alternative routes or modes of transport. This could happen by removing one lane in each direction or removing one whole side at a time.

Those along the restored and expanded Humboldt Parkway will start enjoying the reduced congestion, crashes, and traffic pollution and contemporaneous increase in connectivity, multimodal transportation, greenspace, and increased property values. At the same time the reactivated streets throughout the East Side will start enjoying the traffic that powers small businesses, cultural attractions, and preservation of great housing stock.

Increasing property values and investments will renew crumbling neighborhoods, while we implement an increasing number of programs designed to minimize displacement and other harms associated with gentrification. As the city's tax base increases, we can start rebuilding our crumbling infrastructure by mitigating problems like combined sewar overflows and century-old water mains lined with pre-EPA pipe scale containing lead and who knows what other toxins. The City of Buffalo moves into a brighter future together, or not at all.

https://ppgbuffalo.org/files/documents/environment/water/the_role_of_water_in_buffalo_lead_exposure.pdf

But first we need to either get NYSDOT out of our way or at least bend them to our will. Aside from Governor Cuomo's one-time action to kick NYSDOT off the Scajaquada Corridor redesign, there seems to be little oversight for NYSDOT. That means it falls on our shoulders.

That's why I am sharing this public comment on NYS Route 33, Kensington Expressway Project. And that's why I will make sure it (all of it) is included in the public comments section. I encourage you to do the same. But you must hurry, because they are closing the window for public comment this Friday, October 27, 2023. It doesn't have to be long or elaborate, just share what you want and make sure they include it. And make noise if they don't!

Sincerely,
Dan Cadzow

From:	Daniel Cadzow
To:	
Cc:	contact@dec.ny.gov
Subject:	Public Comment on NYS Route 33, Kensington Expressway Project
Date:	Wednesday, November 1, 2023 4:12:28 PM
Attachments:	Public Comment11_01_2023.pdf

Wednesday, November 1, 2023

To: NYSDOT (Kensingtonexpressway@dot.ny.gov), Senator Tim Kennedy, Assemblymember Crystal Peoples-Stokes, Senators Schumer and Gillibrand, Congressman Higgens, and Governor Hochul
Cc: NYSDEC (contact@dec.ny.gov)

Re: Public Comment on NYS Route 33, Kensington Expressway Project, and the Region Central Project

Dear Senator Tim Kennedy, Assemblymember Crystal Peoples-Stokes, Senators Schumer and Gillibrand, Congressman Higgens, and Governor Hochul

Summary: For too long, New York State Department of Transportation (NYSDOT) has had unchecked power to shape our public spaces in ways that dramatically affect our social, economic, and environmental landscapes with often disastrous effects in both town and country. NYSDOT dogmatically clings to policies enshrined in an era when oil and auto executives like "Engine" Charley Wilson bought their way into our government to write policies that foster the consumption of their goods.

This was also a time when blatantly racist policies like redlining were in place to sow internal division. Despite being released from many of these policies by the Obama Administration's Transportation Secretary Anthony Foxx, NYSDOT refuses to acknowledge its freedom to implement a wider range of mobility infrastructure as well as its greater social, economic, and health responsibilities to the taxpayers who fund their work. Instead, NYSDOT pushes on with the outdated and unjust policies of the 1950s. Recent efforts by the community to heal those divisions have met with severe resistance and the unethical subversion of public involvement process, all of which is described in more detail below.

As such, I am writing to you to request:

- The termination of NYS Department of Transportation's (NYSDOT's) current efforts to fast-track the extraordinarily expensive capping of a small portion of NYS33 due in part to its failure to comply in good faith with NYS Department of Environmental Conservation's (NYSDEC) State Environmental Quality Review Act (SEQR).
- An investigation of the methods and motives of NYSDOT's efforts to promote one mode of transportation at the cost of all others. NYSDOT has falsified public comments and attempted to ignore/bury knowledge of changes in federal transportation policy under Transportation Secretary Foxx that released state DOTs from their requirement to prioritize "Level of Service" and allowed them to consider more holistic metrics of community service in evaluation transportation strategies.
- Based on this investigation, a system of checks and balances, or impartial regulatory oversight, must be placed on NYSDOT. They have access to too many of our tax dollars and too much control over the fates of our communities and society to be allowed the continued unfettered design of our economic, social, and environmental landscapes.

1) NYSDOT and the Capping of NYS33. NYSDOT has persistently limited opportunities for the public to be informed and comment on this project. NYSDOT should be forced to cease and desist with its current efforts to cap a small section of NYS Route 33 due to its failure to comply in good faith with New York State Department of Environmental Conservation's (NYSDEC) State Environmental Quality Review Act (SEQR). "SEQR requires all local, regional, and state government agencies to equally examine the environmental impacts along with the social and economic considerations for a certain project, or action, during their discretionary review."

https://www.dec.ny.gov/permits/357.html

NYSDOT's consideration of the social and environmental impacts of the proposed project has been insincere at best:

- NYSDOT has admitted the net environmental impacts of capping part of NYS Route 33 will be worse than the status quo for many.

- NYSDOT has mislead the public with claims that the traffic on NYS Route 33 cannot be absorbed by the currently underutilized combination spoke-and-wheel-radial and gridded street network. This can be demonstrated with a simple analysis of the radial street capacities versus the current rates of usage. Further, when Governor Cuomo ordered NYSDOT to lower the speed limit on the Scajaquada Expressway from 50 MPH to 30 MPH following the needless death of Maksym Sugorovskiy in Delaware Park, the "cArmageddon" (their word) NYSDOT claimed its traffic modeling proved would happen, did not. Without any preparation or planning traffic just reorganized and the rates of collisions plummeted.

- NYSDOT has also failed to consider numerous calls for reducing net congestion and pollution through the establishment of affordable at-grade light rail connecting the airport to downtown Buffalo, exemplified by Citizens for Regional Transit's proposal:

http://citizenstransit.org/sites/default/files/070723%20CRT%2033%20Comments%20combo.pdf

https://ppgbuffalo.org/buffalo-commons/library/resource:the-eastside-airport-metro-rail-extension/

A valid analysis of the environmental, social, and economic impacts must begin with an examination of the social, economic, and

environmental conditions prior to the construction of NYS33. These conditions need to be compared to those that resulted from its construction. This includes examining the historic, social, and economic effects of destroying the largest parkway in the nation's first system of interconnected urban parks and parkways. It must also include the comparison of per capita rates of illnesses associated with traffic pollution (i.e., pre-eclampsia, obesity, autism, several types of cancer, depression, anxiety, pneumonia, asthma, heart disease, kidney disease, and numerous auto immune disorders) in the affected neighborhoods to the same since NYSDOT's construction of NYS 33. It is likely no coincidence that NYS Route 33 makes up the west and north boundary of our so-called "cancer cluster."

https://ppgbuffalo.org/files/documents/environment-_traffic_equity_in_buffalo__new_york.pdf

https://www.wkbw.com/news/local-news/residents-in-cancer-cluster-in-buffalo-cheektowaga-seeking-answers#:~:text=The%20so%2Dcalled%20'cancer%20cluster,are%20part%20of%20this%20cluster.

An authentic analysis of the environmental, social, and economic impacts also means examining the role NYSDOT's construction of this expressway played in promoting racist and classist policies from that era that we still are suffering from today. *The construction of this expressway was coupled with racist and classist state, local, and federal policies that included red lining (refusing mortgages to non-whites in specific areas), restrictive deed convenances (disallowing future sales of properties to non-whites), federal programs providing low interest loans to returning WWII soldiers exclusively for new builds (designed to encourage urban sprawl for white people only), and the direct assault on thriving non-white urban communities through the construction of urban expressways through their neighborhoods -exemplified by NYS33*.

https://ppgbuffalo.org/files/documents/environment/transit/urban_expressway_removal_in_buffalo__the_historical_context_2018.pdf

Since its construction, NYS33 has drained Buffalo's East Side of its commerce-providing traffic, wealth, and diversity to cultivate highly segregated (white) suburbs. As a result, East side property values declined, businesses disappeared, jobs were lost, schools suffered, crime increased, and neighborhoods withered. In some once-thriving neighborhoods, empty lots are now roughly equal in number to the remaining homes. It also concentrated traffic pollution, congestion, and crashes in the neighborhoods along NYS Route 33. Only when we have a complete environmental impact study that includes the consequences of this urban expressway can we begin to decide collectively whether such infrastructure should be maintained, modified, or completely reimagined.

NYSDOT has falsely claimed to have adequately engaged with the public through a handful of public meetings that were in fact designed to limit public comment or even gathering at meetings. NYSDOT also limited much of the public engagement to a small number of "stakeholders" some of which represent increasingly small portions of the affected communities.

https://risecollaborative.com/rise/how-can-we-stop-this-project-150?fbclid=IwAR3Ef0hrOm9utEfnbw7LUh8HPpp43eb35cKQ1_pUsKk0meMXJvZk6S3gsxs

https://www.wbfo.org/whats-next-2023/2023-10-27/whats-next-the-kensington-expressway-discussion

2) NYSDOT and Region Central (NYS 198). These techniques were developed over two decades of failing to convince the residents of North Buffalo to embrace proposed infrastructure along the Scajaquada Corridor that would continue the disruption of local connectivity and multimodal travel while concentrating congestion, pollution, and crashes. First, NYSDOT attempted to wear down the public with numerous meetings spread out over many years spanning decades. When that failed, NYSDOT began to reduce the time residents were allowed to speak at the town hall meetings.

NYSDOT then, without notice, restricted public comments at meetings to hand-written statements on tiny forms they provided. NYSDOT picked which of those statements would be read aloud by them (some in a mocking fashion), and responded to them. To cap the censorship off, NYSDOT began that Q and A session by eliminating roughly half of the comments because they were about the interim traffic calming measures, or the lack thereof "…and that's just not what this meeting is about."

The final Scajaquada Corridor redesign meetings excluded public comment altogether, except through casual conversation with NYSDOT representatives next to posters showing proposed alternative road designs – none of which included what most of what the community had been calling for. These methods, adapted to constrain public comment on a project they did not want, are what NYSDOT "engaged" the public with during all the meetings regarding the NYS33 capping project. ***NYSDOT even went so far as to falsify the public comment section in the Project Scoping Document and Draft Environmental Impact Statement (DEIS).***

For example, ***NYSDOT excluded two Partnership for Public Good (PPG) Policy Briefs from the DEIS.*** These briefs were drafted in direct response to this project and were submitted as public comments via email and USPS.

A: https://ecommons.cornell.edu/items/9cde705a-cb49-4032-82e3-dd29b4125fe3

B: https://ecommons.cornell.edu/items/48948e7e-6d9c-4a89-9a53-838e5ae7ea93

NYSDOT also excluded NYS assembly member Sean Ryan's petition that had over 3,000 signatures.

NYSDOT excluded Buffalo Olmsted Parks Conservancy's petition that had over 5,800 signatures.

NYSDOT also excluded Parents for a Safe Delaware Park's petition that had over 1,500 signatures.

NYSDOT also excluded a petition from 134 residents from just six city blocks of the Parkside Neighborhood.

NYSDOT also deleted an untold number of public comments and even edited some for content. For example, ***a public comment that informed NYSDOT of changes in federal transportation policy under Transportation Secretary Foxx that released state DOTs from their requirement to prioritize "Level of Service" was deleted from the record.*** This is an important part of the conversation because it would prove that NYSDOT was aware that state DOTs could use more up-to-date and inclusive metrics for roadway functionality, like

Vehicle Miles Traveled (VMT). They could consider the impacts their designs have on health and safety as well as economic and social issues, like the division of neighborhoods, public health, the distribution of goods, jobs, and services, the restoration of our world-class park system, and structured segregation of the City of Buffalo. We need to know why NYSDOT buried that comment/information as deep as they could.

https://t4america.org/2016/05/12/feds-get-out-of-the-way-of-communities-that-want-to-design-safer-more-complete-streets/

Half of a public comment that called for a design that would accommodate public transportation was deleted. NYSDOT kept the half of the comment that stressed the importance of the corridor, but ***deleted the text that informed them of opportunities for free technical workshops on Transit Oriented Development hosted by the Federal Transit Administration and Smart Growth America***. This supports the contention NYSDOT has a biased focus on transportation infrastructure that benefits oil and auto industries and a concomitant disregard for transportation infrastructure that serves and protects the non-automobile-reliant population.

NYSDOT DID NOT EXCLUDE a petition calling for the retention of the Scajaquada Expressway. At the time the DEIS was finalized this petition that was been circulated through social media had acquired 74 signatures. So ***NYSDOT INCLUDED IT IN ITS ENTIRETY 75 TIMES*** –once to introduce it and another for each of the 74 people that had signed it.

NYSDOT silenced over 10,000 voices they didn't like and amplified just 75 who agreed with their vision.

https://www.buffalorising.com/2019/05/the-peoples-recap-of-the-scajaquada-corridor-redesign-round-one/

Every time citizens called for more connectivity, less pollution, more multimodal options, or environmental benefits like restoring Scajaquada Creek, the various regional managers NYSDOT cycled through all claimed there was no money on the table for our roughly $100 million project. NYSDOT dragged the project design out over two decades, wasting roughly $4.5 million, and facilitated a host of avoidable crashes and at least one death. The dishonesty and mismanagement of the Scajaquada Corridor redesign led NYS Governor Cuomo to remove NYSDOT as lead agency, replacing it with the Greater Buffalo Niagara Regional Transportation Council (GBNRTC).

GBNRTC rebranded the project Region Central and began a one-year process (expanded to 18 months due to Covid) to examine the transportations infrastructure's impacts to social, economic, environmental, and health outcomes to all involved, be they renter, homeowner, business owner, commuter, or tourist. They interviewed citizens and stakeholders and determined what they wanted from their tax dollars (e.g., safe parks, connectivity, clean air, multimodal transportation options, jobs, etc.) and then built a transportation design that fostered these desires.

https://www.gbnrtc.org/regioncentral

The recommendations were embraced by a solid majority, but in the year that has passed since the findings were released, NYSDOT's response has been… crickets… Apparently, NYSDOT does not feel beholden to even the Governor's office. Instead, NYSDOT pivoted to NYS Route 33, claiming they want to fast track an over $1 billion proposal to cap a small section of NYS33. That would make it the most expensive stretch of road ever built.

Despite the enormous cost and impacts to the already suffering communities, there is no community benefits agreement, other than an offer to temporarily cease the ongoing deliberate neglect to surrounding area. There will be no east side companies hired. They will maintain the pollution, congestion, crashes, and urban decay. They will just add the extra pollution associated with the replacement of the concrete lined with cancer-causing asbestos, dust from blasting, diesel powered heavy equipment, and other construction related pollution.

https://www.governor.ny.gov/news/governor-hochul-announces-city-street-enhancements-part-kensington-expressway-project-city

That's because ***NYSDOT has no interest in remedying the injuries, pollution related illnesses, and social and economic calamity they have inflicted on Buffalo's East Side. They want to spend over $1 billion on this small section of roadway to make those injuries permanent.*** Coupled with NYSDOT's refusal to consider the economic, social, and environmental impacts its construction of NYS Route 33 has had on the city of Buffalo, it makes it hard to conclude that NYSDOT is any less racist and classist than it was in the days of redlining, restrictive deed convenances, and attacking non-white communities with eminent domain and expressway construction to punish them for simply attempting to live well.

3) A way forward for all of Buffalo can begin with implementing Citizen's for Regional Transit's well-researched proposal for light rail between Buffalo's airport and downtown. At the same time, we can begin reactivating the eastern radials with complete streets and modern traffic signals, as called for by Congressman Brian Higgins and others. These actions will allow residents and commuters to explore alternative options to get where they need to go. Just five minutes of exploring trips around Buffalo, NY with Google Maps illustrates how much urban expressways induce driving by as much as 40% in mileage, often just to save one or two minutes of time. Reactivating the radials and reducing congestion though the better implementation of transit means we can even shave time off that miniscule inconvenience.

The upgrading of NYS Route 33 to a parkway-like (commercial vehicles should be allowed) street can begin slowly, allowing people to explore alternative routes or modes of transport. This could happen by removing one lane in each direction at a time, or removing one whole side at a time as is a common practice in expressway maintenance. We won't need to agitate that cancer-causing asbestos lining on the concrete walls of what the visiting Mayor of Milwaukee called a sewer of traffic if we fill it in to bring the street back to grade.

Those along the restored and expanded Humboldt Parkway will start enjoying the reduced congestion, crashes, and traffic pollution (aka improving health) and resulting increase in connectivity, multimodal transportation, greenspace, and increased property values. At the same time the reactivated streets throughout the East Side will start enjoying the traffic that powers small businesses, cultural attractions, and preservation/restoration of great housing stock. We know this will happen because it has happened many times in many places already:

https://ppgbuffalo.org/files/documents/environment/transit/urban_expressway_removal_in_buffalo__the_historical_context_2018.pdf

Increasing property values and investments will renew blighted neighborhoods, while we implement an increasing number of strategies designed to minimize displacement and other harms associated with gentrification. As the city's tax base increases, we can start rebuilding our infrastructure by mitigating problems like combined sewer overflows and century-old water mains lined with pre-EPA pipe scale containing lead and who knows what other toxins. ***The City of Buffalo moves into a brighter future together, or not at all.***

https://ppgbuffalo.org/files/documents/environment/water/the_role_of_water_in_buffalo_lead_exposure.pdf

But first we need to either get NYSDOT out of our way or at least bend it to our will. Aside from Governor Cuomo's one-time action to kick NYSDOT off the Scajaquada Corridor redesign, **there seems to be very little oversight for NYSDOT**. That means it falls on our shoulders.

That is why we need an official investigation into why NYSDOT is clinging to regulations removed by Transportation Secretary Anthony Foxx in 2016. The investigation needs to address how and why so many public comments, petitions, and policy briefs were manipulated and deleted in the DEIS. It should include a demographic analysis of NYSDOT employees, especially in the upper echelons of the organization. We need to know if the voices of East Side residents, people of color, and women are in those positions at ratios similar with the populations affected by NYSDOTs projects.

Finally, based on the results of the investigation, NYSDOT needs a permanent system of checks and balances or oversight. As it currently stands, ***NYSDOT has too much unchecked power*** to shape the health, safety, connectivity (or lack thereof), and transportation modality (or lack thereof) in our communities. This unchecked power has thus far facilitated Buffalo's 2018 ignominious claim to fame as being the nation's sixth most segregated city as well as hosting an inequitable distribution of grocery stores, hardware stores, healthcare outlets, green space, jobs, walkable streets, etc., etc. We need to have this oversight because, just as our transportation infrastructure was used to cleave communities apart and structure racism and classism into our landscape, it can be also used to bring us back together. Again, ***the City of Buffalo will move into a brighter future together, or not at all.***

That's why I am sharing this public comment on NYS Route 33, Kensington Expressway Project. And that's why I will make sure it (all of it) is included in the public comments section of future reports. I encourage you to do the same. But you must hurry, because the recently extended closing window for public comment is November 10, 2023. It doesn't have to be long or elaborate, just share what you want, make sure they include it, and make noise if they don't!

Sincerely,
Dan Cadzow

From:	Comment via East Side Parkways Coalition
To:	dot.sm.kensingtonexpressway
Subject:	Comment for the Kensington Expressway Project from Renee Cadzow
Date:	Wednesday, November 8, 2023 10:05:48 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

This is our chance to right a severe wrong of the past. Let's not mess it up. Nearly a billion dollars can be used much more effectively than covering an archaic mode of transportation. Trees will never grow on top of this tunnel. We can learn if we look to other successful projects completed in other cities. . . . this will not be one of them if we proceed with a tunnel. The expressway must go. We must restore the parkway for all to enjoy and spend those funds on better public transportation. Please don't make this enormous mistake.

Name

Email

Date

11/8/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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Mr. Dan Cadzow

County _Other New York
Addressed to: Governor

Email Subject: Reign in NYSDOT and listen to the people.

Issue 1 78001 Dept. of Transportation

Correspondence Number: 1195006P
Date Of Correspondence: 10/26/2023
Date Received: 10/29/2023
Date Entered: 10/26/2023
Referred To: DOT
Date Referred:

Routing History:

10/30/2023 10:19 AM (Routed By --> Kelsey Barrett) (Routed Via Outside Agency Email to --> DOT) This correspondence has been acknowledged and is being forwarded for further action from your agency.
Please provide a copy of response or notation of any other action recomme nded or taken. -- Please respond to Kelsey Barrett

Incoming Correspondence:

Dear Governor Hochul,

NYSDOT is forcing 1950?s infrastructure on a city that is trying to embrace the needs of future generations. They are undermining the public involvement process and refusing to examine the harms their past work has caused our city as well as the many paths forward that can heal and improve the health and economy of our city. They are also ignoring the mandate from your office to allow the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) to design the Scajaquada Corridor.

Please help us!

To NYSDOT (Kensingtonexpressway@dot.ny.gov) and NYSDEC (contact@dec.ny.gov)

Re: Public Comment on NYS Route 33, Kensington Expressway Project

New York State Department of Transportation (NYSDOT) must cease and desist with its current efforts to cap a small section of NYS 33 due to its failure to comply in good faith with New York State Department of Environmental Conservation?s (NYSDEC) State Environmental Quality Review Act (SEQR). ?SEQR requires all local, regional, and state government agencies to equally examine the environmental impacts along with the social and economic considerations for a certain project, or action, during their discretionary review.?

https://www.dec.ny.gov/permits/357.html

NYSDOT has failed to consider the social and environmental impacts of the proposed project. Further, they have gone so far as to admit the net environmental impacts of capping part of NYS 33 will be worse than the status quo. NYSDOT has mislead the public

with claims that the traffic on NYS 33 cannot be absorbed by the currently underutilized combination spoke-and-wheel-radial and gridded street network. NYSDOT has also failed to consider calls for reducing net congestion through the establishment of affordable at grade light rail connecting the airport to downtown Buffalo, as proposed by Citizens for Regional Transit.

http://citizenstransit.org/sites/default/files/070723%20CRT%2033%20Comments%20combo.pdf

https://ppgbuffalo.org/buffalo-commons/library/resource:the-eastside-airport-metro-rail-extension/

A faithful analysis of the environmental, social, and economic impacts must begin with an analysis of the conditions prior to the construction of NYS33. These conditions need to be compared to the conditions that resulted from its construction. This doesn?t just mean examining the loss of the largest parkway in the nation?s first system of interconnected urban parks and parkways. The construction of this expressway was coupled with racist and classist state, local and federal policies that included red lining (refusing mortgages to non-whites in specific areas), restrictive deed convenances (disallowing future sales of properties to non-whites), federal programs providing low interest loans exclusively for new builds (designed to encourage urban sprawl for white people only), and the direct assault on thriving non-white communities through the construction of urban expressways exemplified by NYS33.

https://ppgbuffalo.org/files/documents/environment/transit/urban_expressway_removal_in_buffalo__the_historical_context_2018.pdf

Since its construction, NYS33 has drained the east side of Buffalo of its commerce-providing traffic, wealth, and diversity to cultivate highly segregated suburbs. Property values declined, jobs were lost, schools suffered, and neighborhoods withered. They also grotesquely concentrated traffic pollution, congestion, and crashes in the neighborhoods along NYS33. No environmental impact study of work relating to NYS33 can be complete without a thorough analysis of the impacts its construction has had on the numerous affected communities. Only then can we begin to decide collectively whether such infrastructure should be maintained or disassembled.

NYSDOT has falsely claimed to have adequately engaged with the public through a handful of public meetings that were actually designed to limit public comment or even gathering at meetings.

https://risecollaborative.com/rise/how-can-we-stop-this-project-150?
fbclid=IwAR3Ef0hrOm9utEfnbw7LUh8HPpp43eb35cKQ1_pUsKk0meMXJvZk6S3gsxs

These techniques were developed over decades of failing to convince the residents of North Buffalo to embrace proposed infrastructure along the Scajaquada Corridor that disrupts local connectivity while concentrating congestion, pollution, and crashes. First, they limited public comment time. Then restricted comments to handwritten cards, of which they read a few. They then eliminated the town hall format altogether, in favor of distributed posters and smiling suits who assured us our concerns would be heard. They even went so far as to falsify the public comment section in the Project Scoping Document and Draft Environmental Impact Statement by deleting some comments (including several popular petitions), needlessly repeating others, and even editing some for content.

https://www.buffalorising.com/2019/05/the-peoples-recap-of-the-scajaquada-corridor-redesign-round-one/

Every time citizens called for more connectivity, less pollution, more multimodal options, or environmental benefits like restoring Scajaquada Creek, the various regional managers NYSDOT cycled through all claimed there was no money on the table for our roughly $100,000.00 project and dragged the project design out over two decades, wasting roughly $5,000,000.00. The dishonesty and mismanagement of the Scajaquada Corridor redesign led NYS Governor Cuomo to remove NYSDOT as lead agency, replacing it with the Greater Buffalo Niagara Regional Transportation Council (GBNRTC).

GBNRTC rebranded the project Region Central and began a one-year process to examine the transportations infrastructure?s impacts to social, economic, environmental, and health outcomes to all involved, be they renter, homeowner, business owner, commuter, or tourist. They interviewed locals and determined what they wanted (e.g., safe parks, connectivity, clean air, multimodal transportation options, jobs, etc.) and then built a transportation design that actually fostered these desires.

The project was embraced by a solid majority of those impacted, but NYSDOT?s response has been crickets? Less than a year later, NYSDOT claims they want to fast track a $1,000,000,000.00 proposal to cap a small section of NYS33. That would make it the most expensive stretch of road ever built in the United States? And there is no community benefits agreement. There will be no east side companies hired. They will maintain the pollution, congestion, and crashes. They will just add the extra pollution associated with eth replacement of the concrete impregnated with asbestos, blasting, and other construction related pollution.

That?s because NYSDOT has no interest in remedying the injuries, pollution related illnesses, and social and economic calamity they have inflicted on Buffalo?s East Side. They are willing to spend $1,000,000,000.00 on this small section of roadway to make those injuries permanent. Coupled with NYSDOT?s failure to consider the impacts its construction of NYS33 has had on the city of Buffalo, it makes it hard to conclude that NYSDOT is any less racist than it was in the days of redlining, restrictive deed convenances, and attacking non-white communities with eminent domain and expressway construction to punish them for simply attempting to live well.

A way forward for all of Buffalo can begin with building Citizen?s for Regional Transit?s well-researched proposal for light rail between Buffalo?s airport and downtown. At the same time, we can begin reactivating the eastern radials with complete streets and modern traffic signals, as called for numerous times by Congressman Brian Higgins and others. The upgrading of NYS 33 can begin slowly, allowing people to explore alternative routes or modes of transport. This could happen by removing one lane in each direction or removing one whole side at a time.

Those along the restored and expanded Humboldt Parkway will start enjoying the reduced congestion, crashes, and traffic pollution and contemporaneous increase in connectivity, multimodal transportation, greenspace, and increased property values. At the same time the reactivated streets throughout the East Side will start enjoying the traffic that powers small businesses, cultural attractions, and preservation of great housing stock.

Increasing property values and investments will renew crumbling neighborhoods, while we implement an increasing number of programs designed to minimize displacement and other harms associated with gentrification. As the city?s tax base increases, we can start rebuilding our crumbling infrastructure by mitigating problems like combined sewar overflows and century-old water mains lined with pre-EPA pipe scale containing lead and who knows what other toxins. The City of Buffalo moves into a brighter future together, or not at all.

https://ppgbuffalo.org/files/documents/environment/water/the_role_of_water_in_buffalo_lead_exposure.pdf

But first we need to either get NYSDOT out of our way or at least bend them to our will. Aside from Governor Cuomo?s one-time action to kick NYSDOT off the Scajaquada Corridor redesign, there seems to be little oversight for NYSDOT. That means it falls on our shoulders.

That?s why I am sharing this public comment on NYS Route 33, Kensington Expressway Project. And that?s why I will make sure it (all of it) is included in the public comments section. I encourage you to do the same. But you must hurry, because they are closing the window for public comment this Friday, October 27, 2023. It doesn?t have to be long or elaborate, just share what you want and make sure they include it. And make noise if they don?t!

Sincerely,

Dan Cadzow

-----Original Message-----
From: Barbara A. Campagna
Sent: Tuesday, November 7, 2023 6:46 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Campagna, Barbara
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: BAC/Architecture + Planning

Comment: All of my thoughts about this ill-advised billion $ project are eloquently described in this piece on the threat to the Buffalo Olmsted Parkway System. https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.tclf.org%2faction-needed-buffalo-olmsted-parkway&c=E,1,hZaFezl188mej1IvirEWpmUA0Zltlf-nl6L1xZ05jpvxDd71GlZFGQrYc-jFmjKyyLTUjflXsk4qkkvfcVj9gvAmAfUdXTQhUMOjGDxrfv69rGUNH3I,&typo=1

* this email was generated by kensingtonexpressway.dot.ny.gov

Barbara A. Campagna, FAIA, NCARB, FAPT, LEED AP BD+C Principal,
BAC/Architecture + Planning, PLLC Office 716-931-5827 Cell 917-319-1970
https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.Barbaracampagna.com&c=E,1,QC-gENS-q12zqRRty6MDdBFXetZc0p3LvTJOIB3B90RAaNniQlPuCoOP4-6NFABUvKvJ1RELhsz4Ky0gWR2-L8lNOTmbX4Ir-45e28mTBoWurebppvREP9u-yuY,&typo=1
Sent from my iPhone
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From: Barbara A. Campagna
To: dot.sm.kensingtonexpressway
Subject: THREAT to the Buffalo Park & Parkway System - Kensington Expressway Project (PIN: 5512.52)
Date: Tuesday, November 7, 2023 7:07:33 PM
Attachments: image001.png

Mr. Sanjyot Vaidya and Mr. Matthew Seymour,

As a preservation architect with my home and office in downtown Buffalo, I demand the following regarding your ill-advised "Kensington cap project":

[1] an Environmental Impact Statement for NYS Route 33, Kensington Expressway Project (PIN: 5512.52) be conducted, including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has decreased post-pandemic; [2] a Cultural Landscape Report (CLR) be undertaken; and [3] full design options be prepared with community participation, including the rehabilitation of Humboldt Parkway.

Also, please review this eloquent piece by The Cultural Landscape Foundation about this threat to our nationally significant Buffalo Olmsted Park System. This national landscape preservation organization headquartered in Washington, DC is supporting our community through their international platform.

https://www.tclf.org/action-needed-buffalo-olmsted-parkway

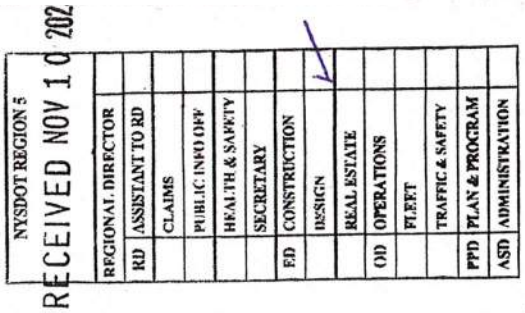
Barbara A. Campagna, FAIA, NCARB, FAPT, LEED AP BD+C
Principal
Licensed: NY, VA, DC

Barbara A. Campagna/Architecture + Planning, PLLC
Tri-Main Center
2495 Main Street, Suite 402
Buffalo, NY 14214
P: 716.931.5827 C: 917.319.1970
bcampagna@bcampagna.com
www.barbaracampagna.com

BAC [A+P]®

Barbara A. Campagna/Architecture + Planning, PLLC

Ms. Barbara Campagna



County _Other New York
Addressed to: Governor

Email Subject: Buffalo NY - Kensington Expressway "Cap" Project is Ill Advised

Issue 1 78214 Construction Projects

Correspondence Number: 1198225P
Date Of Correspondence: 11/07/2023
Date Received: 11/07/2023
Date Entered: 11/07/2023
Referred To: DOT
Date Referred:

Routing History:

11/09/2023 01:41 PM (Routed By --> Kelsey Barrett) (Routed Via Outside Agency Email to --> DOT) This correspondence has been acknowledged and is being forwarded for further action from your agency.
Please provide a copy of response or notation of any other action recommended or taken. -- Please respond to Kelsey Barrett

Incoming Correspondence:

As a preservation architect with my home and office in downtown Buffalo, I demand the following regarding FHWA?s and NYSDOT?s ill-advised ?Kensington cap project?:

[1] an Environmental Impact Statement for NYS Route 33, Kensington Expressway Project (PIN: 5512.52) be conducted, including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has decreased post-pandemic; [2] a Cultural Landscape Report (CLR) be

undertaken; and [3] full design options be prepared with community participation, including the rehabilitation of Humboldt Parkway.

Also, please review this eloquent piece by The Cultural Landscape Foundation about this threat to our nationally significant Buffalo Olmsted Park System. This national landscape preservation organization headquartered in Washington, DC is supporting our community through their international platform.

https://www.tclf.org/action-needed-buffalo-olmsted-parkway

Please redirect the $1 B allocated to this ill-advised project to make it a restoration project that heals our community and our history.

From: Drew Canfield
Sent: Thursday, November 9, 2023 4:37:45 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Canfield, Drew
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Central Terminal Restoration Corp.
Comment: As the stewards of a catalytic, historic rehabilitation project in East Buffalo, the Central Terminal Restoration Corp. understands the importance of a thorough and meaningful community engagement process. We spent 12 months talking with the community to build a shared vision for the future of the Buffalo Central Terminal in our Master Plan.

The community has not found consensus on a path forward for the Kensington Expressway. Given the scale, impact, and cost of the Kensington Expressway Project, there needs to be a significant level of analysis and investment of time with the community.

We ask that the NYS DOT reconsider the fast-tracking of the covering alternative and revisit their approach to public engagement to provide meaningful ways for the community to participate.

We also ask that the Kensington Expressway Project complete a full Environmental Impact Statement that thoroughly analyses the socioeconomic, environmental, and traffic-related consequences of ALL alternatives.

* this email was generated by kensingtonexpressway.dot.ny.gov

Drew Canfield, AICP (she/her)
Associate Director
716.754.6142 x 203 (office)
716.597.3776 (cell)
drew@buffalocentralterminal.org

From: Jeff Carballada
To: dot.sm.kensingtonexpressway
Subject: Comments on Kensington Project
Date: Friday, November 10, 2023 7:02:19 PM

To Whom It May Concern:

I am thrilled at the opportunity the City of Buffalo has to right a horrific wrong in addressing the Kensington Expressway, yet I am dismayed by the DOT's proposed solution. I embrace The Restore Our Community Coalition's vision, but we must rely on the experts to think through all the options. And in this case, the DOT has not "met the moment" with any ambition, insight, or thoughtfulness.

The infrastructure funding represents a once in a lifetime opportunity to reconnect the Buffalo Olmsted Parkway system, but the proposed solution only promotes the status quo, rooted in the notion that the automobile is the critical component. Decking the Kensington as proposed is a band-aid, explicitly limiting any potential positive impacts to a small area. This reinforces the prior wrong of the Kensington's construction, ruling out any meaningful rehabilitation of Humbolt Parkway beyond the project area. And, there is much evidence to suggest the decking solution only promotes the existing negative environmental impacts to adjoining neighborhoods. The needs of all the neighborhoods from the 198/33 interchange to downtown must be considered, and therefore a more comprehensive, holistic approach must be adopted.

I am asking that the DOT produce an Environmental Impact Statement (EIS) that includes the alternative of filling in the Kensington expressway and reconnecting MLK Jr. and Delaware Park via a restored Humbolt parkway. Buffalo deserves the opportunity to consider this option. And it makes sense to coalesce this with the proposed changes to the Scajaquada Expressway. Please conduct this EIS, and let the community consider it through a robust, comprehensive engagement process.

With Regards,

Jeff Carballada

From: Flora Cardoni
Sent: Tuesday, November 7, 2023 1:31:57 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Cardoni, Flora
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: n/a
Comment: The Kensington Expressway should be removed to fully protect community health and safety. Whether that is possible or not, this project should be designed with the best interest of nearby residents in mind and with their active involvement. So I echo their calls for air filtering, expanding and fully connecting green space, and more. In addition, this project should not move forward without an environmental impact statement. A full EIS is critical to ensuring the project will actually benefit the community and environment, not make things worse. Thank you.

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From: Jennifer Carman
Sent: Thursday, November 9, 2023 1:15:14 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Carman, Jennifer
Address: ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I am in favor of an environmental study being completed before any plans move forward for the redesign of Rout 33. Residents who live directly next to Route 33 have been plagued with pollution for decades, and not conducting an environmental study to map new levels of pollution that will be created due to the vents for this tunnel is irresponsible and a slap in the face to those we've lost in this community as a direct result of the Kensington Expressway's original installation. Rushing into this project will not result in a healthier community for residents along Humboldt Parkway.

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From: Paul Caruana
Sent: Friday, November 10, 2023 4:08:47 PM
To
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Caruana, Paul
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This is a waste of taxpayer funds. Use the $$ for other projects in Western NY that take precedence over this one. I.E. expand metrorail to airport or TEAR DOWN USELESS SKYWAY or redo the Scajacquada or put a new roundabout @ Parkside /198. I seriously think you engineers have ZERO creativity. There are many cities that dont have expressways running thru EVERY impertant area of a city. Expressways should b on the perimeter. Stop worryig abut traffic counts. If you werr so concerned about the environmentthn you would be looking @ Metrorail sxtensions

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Paula Celestino <
Sent: Friday, October 27, 2023 1:11:18 PM
To: Fischlein, Eric <
Subject: [Ext] Fwd: PIN 5512.52 Kensington Expressway Project Comment Form

Name: Celestino, Paula
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: resident
Comment: Fill in the 33 from Elm to AKG... bring the community-this city- together. Do it right this time. Figure out everything else from there.

* this email was generated by
kensingtonexpressway.dot.ny.gov

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From: Summer C.
Sent: Friday, November 10, 2023 4:22:13 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Cerbone, Summer
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment:

I would like to retract portions of my previous statement. I do support this project, but not ALL of it. We need an ENVIRONMENTAL IMPACT STATEMENT before this project proceeds. What is the point of doing all these "improvements" to the 33 if they do not genuinely improve the air quality and quality of life of the residents?
I also ask the DOT to FULLY RESTORE HUMBOLT PARKWAY to its former glory! Finish Olmsted's DREAM of Buffalo being COMPLETELY CONNECTED by PARKWAYS!
What a beautiful thing that would be. All parts of Buffalo deserve these beautiful parkways. PEOPLE, BUSINESSES, PETS, TOURISTS, will all BENEFIT!!!
RESTORE THE PARKWAY!!!! And create a plan that IMPROVES AIR QUALITY!
Sincerely,
A Buffalo resident

* this email was generated by kensingtonexpressway.dot.ny.gov

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From: Summer C.
To: dot.sm.kensingtonexpressway
Subject: Comments from a Buffalonian
Date: Friday, November 10, 2023 4:32:45 PM

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Name: Cerbone, Summer
Address:
Phone:
Email:

Hello, thank you for the time and effort the DOT has put into this plan for Buffalo and the 33. I am so glad we are getting much needed improvements to our east side/Humboldt community.
However, I believe we need an ENVIRONMENTAL IMPACT STATEMENT before this project proceeds. What is the point of doing all these “improvements” to the 33 if they do not genuinely improve the air quality and quality of life of the residents?
I also ask the DOT to FULLY RESTORE HUMBOLT PARKWAY to its former glory! Finish Olmsted’s DREAM of Buffalo being COMPLETELY CONNECTED by PARKWAYS!
What a beautiful thing that would be. All parts of Buffalo deserve these beautiful parkways. PEOPLE, BUSINESSES, PETS, TOURISTS, will all BENEFIT!!!
RESTORE THE PARKWAY!!!! And create a plan that IMPROVES AIR QUALITY!

Sincerely,
A Buffalo resident

From: Ellen Chapman
Sent: Saturday, November 4, 2023 10:14:51 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Chapman, Ellen
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: City Resident
Comment: The Kensington Parkway deserves to be restored to a environmentally conscious space for the neighborhood. Don't throw away the opportunity to do the right thing the first time. Build a parkway for the community.

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future land use and air quality impacts. We are requesting an extended public participation process that includes meaningful public participation from residents in the impacted neighborhoods. Finally, we are requesting compliance with the CLCPA to consider alternative proposals that prioritize decreasing exposure to this community, including rerouting cars traveling through this neighborhood for the benefit of the suburbs. If you have any questions, contact Lanessa Owens-Chaplin Lchaplin@nyclu.org.

Lanessa Owens- Chaplin
Director, Racial Justice Center
Center

Camara Stokes-Hudson
Education Counsel, Education Policy

NYCLU
ACLU of New York

125 Broad Street
19th Floor
New York NY 10004
(212) 607-3300
nyclu.org

Donna Lieberman
Executive Director

Wendy Stryker
President

Blank David chesna

County _Other New York
Addressed to: Governor

Email Subject: Cover Rt.33

Issue 1 78210 Highways/Interstates

Correspondence Number: 1191500P
Date Of Correspondence: 10/14/2023
Date Received: 10/13/2023
Date Entered: 10/14/2023
Referred To: DOT
Date Referred:

Routing History:

10/17/2023 10:59 AM (Routed By --> Kelsey Barrett) (Routed Via Outside Agency Email to --> DOT) This correspondence has been acknowledged and is being forwarded for further action from your agency.
Please provide a copy of response or notation of any other action recommended or taken. -- Please resp ond to Kelsey Barrett

Incoming Correspondence:

I travel this route everyday. I work in this east side neighborhood. Covering this highway is a poor use of money. I can?t see the lines on this route when it rains. We stop our cars every block on nearby Main Street because the traffic lights are not controlled. I think I?ll vote for your opponents next time.

From: Jason Chow
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project
Date: Tuesday, October 24, 2023 9:29:09 PM

Name: Jason Chow
Address:

There's the old saying that two wrongs don't make a right. I am wondering why Buffalo and the NYS DOT are so taken with covering a short section of the 33, while other cities are completely removing expressways which have cut up and divided their neighborhoods? Compared to other cities, Buffalo in NYS doesn't have the tax base to fund a complete covering of the full Kensington. Why are we not restoring Humboldt Parkway, which would naturally allow the stitching back together of our neighborhoods which have been divided? This plan is shortsighted, and makes absolutely no sense! Is the plan really to implement another expensive project that will never be fully realized, and only continues to decimate our communities for another 60+ years? This plan is absolutely ridiculous. Please reconsider, and come up with a better solution, or history will show it is another project that didn't achieve its intended goal. The city and area has already lost so much. Please help it, don't hurt it!

From: Melissa Collins
Sent: Saturday, November 4, 2023 10:36:21 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Collins, Melissa
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Community member
Comment: I do not support the current proposed Kensington Expressway project. It is a lot of wasted money without actually fixing any problems. Please consider removing Rt. 33 completely. Restore Humboldt Parkway completely. Utilize Buffalo's brilliant radial street design to accommodate traffic downtown. Use technology to time our traffic lights appropriately, bringing cars in and out of the city efficiently during commute times. I promise, people will adjust to this change just fine. For perspective, I live in Getzville and commute to Community School #53 on Roehrer (off of E. Ferry) everyday. The 33 is part of my daily commute, and I still want it removed. It is what's best. Please listen to the community members. We are the ones who have to live with your decisions everyday.

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From: Max Collins
Sent: Friday, November 10, 2023 9:43:27 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Collins, Max
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: East Side Parkways Coalition
Comment: A generational project such as this one deserves an Environmental Impact Statement!

This tunnel provides no meaningful return on a $1.4 billion investment that addresses the devastating segregation and pollution this highway has caused. It's a shame there hasn't been more thorough analysis to explore and develop scenarios that would allow a full-in and full restoration of Humboldt Parkway.

* this email was generated by kensingtonexpressway.dot.ny.gov

Sent from my iPhone
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From: Ellen Comstock
Sent: Friday, November 10, 2023 2:49:20 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Comstock, Ellen Address: Phone:
Email: Include on future project updates: YES Affiliation:
Comment: I was raised on Grider St. When they were blasting for the Kensington Expressway, the disruption was awful! It seems to me, that the divided neighborhoods, could be united in a different way. Why not put in two or three covered pedestrian bridges? I'm sure this would cost a lot less money, less mess to the area, and if they are covered, no snow removal necessary. It would certainly be faster to complete. Just a suggestion from a former resident who dearly loves Buffalo. * this email was generated by kensingtonexpressway.dot.ny.gov

From: Michael Conmy
To:
Subject: comment on proposed Rt. 33 tunnel
Date: Friday, October 27, 2023 7:25:03 AM

Let me start by explaining how very disappointed I am, after spending way too much time to thoroughly explain my thoughts on-line via the page provided: https://kensingtonexpressway.dot.ny.gov/contact.aspx only to have it apparently FAIL when I hit the send button.
The page wiped out everything I was trying to submit, and now I'm left to start over via e-mail.
Long story short: Thank you for patiently explaining this project to us, now it's time to LISTEN!
Fill in the 33 and restore the original Park...I'll gladly find alternatives to work downtown...spend that money to fix/maintain other modes and routes of transportation.
I'd like to ride my bike more and help save the environment, the old fashioned way!

From: Christeatro
Sent: Thursday, November 2, 2023 1:16 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Cooke, Christina
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Subway or Rail between the airport and downtown!!!!

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Perry Cooper
Sent: Thursday, November 9, 2023 6:21 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Cooper , Perry
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I'm a Truck driver and traveled all 48 lower states. This is where my insights come from. The tunnels in Boston, Philadelphia New York, Chicago, and a host of others all need repairs after the first few years. This involves closing of one to all lanes and rerouting traffic. The one overpass now had to be fixed this year. It has been several decades since neighborhood have been divided and people have adjusted by now. The money for this project could be spent to improve the area.

* this email was generated by kensingtonexpressway.dot.ny.gov

From:
To: dot.sm.kensingtonexpressway
Cc:
Subject: NYS Route 33 Public Comment
Date: Friday, November 10, 2023 6:50:35 PM

Dear Ladies and Gentlemen:
November 10, 2023

Dear Ladies and Gentleman of NYSDOT:

With the once in generations possibility of an Olmsted Park system restoration within your grasp, with almost a billion dollars in public funds on the table (presuming the project comes in on present budget), in a neighborhood bisected and compromised for decades by the removal of an Olmsted Parkway in favor of a prior large traffic moving project, with rising public discontent with the NYSDOT proposed cover scenario increasingly voiced by our neighbors who will be directly affected by both the construction and the proposed capping, and in light of the sham and rigidly controlled public meeting format which both discouraged public participation by interested residents and community parties and shielded NYSDOT from unified input by those who are discontented, not to mention how unseemly it is that our east side neighbors do not warrant the same treatment that others would get in vetting such a huge project with a full and thorough environmental review and a fair, open and solicitous public participation vetting, how can you proceed with the capping scenario, especially at the estimated cost in dollars and with the already stipulated asbestos and air quality environmental concerns?

You, who are public servants, need to do much better. The possibility of filling-in the decades old scar and the reunification of both this fractured neighborhood and the third leg of Olmsted's initial parkway system with its sister elements is too significant an opportunity to be so casually and callously ignored. Did you learn nothing from the original Erie Canal restoration fiasco on our waterfront. A synthetic parkway is not an Olmsted Parkway. Listen to our east side neighbors who, with Go Bike and the Olmsted Conservancy, want the 33 filled-in and the real parkway restored and re-connected.

Finally, your opinion of the resourcefulness of WNYers is insultingly low; we shall very quickly find alternative routes to and from downtown; we have a wonderful street grid system designed just for disseminating traffic and we have many underutilized (since the construction of the 33) streets and roadways, like Genessee and Broadway, which could

accept increased traffic with the added benefit of potential economic revitalization of these struggling throughfares and environs. Do something better, restoratively transformational and more impactful than the low fruit of just moving the most traffic.

Thank you for your consideration.

John J. Cordes

From: melvina o'riley
Sent: Thursday, September 28, 2023 9:50:08 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Cray-O'Riley, Melvina
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Homeowner
Comment: I think this project will cause damage to the existing homes and the rodent population will get out of control. What good is it to build new homes and the old ones will suffer. I understand there may be demolition by way of explosions (dynamite). Can these old homes withstand this? Take the money and help the homeowners who are trying so hard to keep their homes up. This community needs help and not more problems. I don't think people realize what this program is going to do for us.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Jon Crowley
To: dot.sm.kensingtonexpressway
Subject: Buffalo Parkway project
Date: Friday, November 10, 2023 12:29:04 PM

Mr Vaidya

Please take a pause on the current proposed project; a growing majority of the community and area organizations support a complete restoration to the original Olmsted designed parkway system. Filling in the area where they want to put a tunnel would actually cost millions less. The DOT seems to have ignored this option and appear more concerned with a project goal of “maintaining the vehicular capacity of the existing transportation corridor" than the residents of this area.

Thank you,

Jon Crowley
Councilman,
Atlantic Highlands

Sent from my T-Mobile 5G Device
Get Outlook for Android

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Marc Davies
Date: Tuesday, November 7, 2023 3:30:53 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Email

Date

11/7/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

© East Side Parkways Coalition.

From: Marc Davies
Sent: Friday, November 10, 2023 10:35:13 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Davies, Marc
Address:
Phone
Email:
Include on future project updates: YES
Affiliation:
Comment: I would like to express my concerns and strong reservations regarding the proposed costly cap for Route 33 in Buffalo. While I appreciate the need for infrastructure improvements, I believe that allocating significant funds to cap the highway may not be the most effective use of public resources. Instead, I strongly urge the DOT to reconsider this project and explore the possibility of highway removal and restoring Olmstead's majestic parkway. We can't go back and change the lives of all those affected by the horrendous highway in the past. But we can make the lives of their children and grandchildren much better and create generational wealth for these folks by removing the highway, which in turn will increase property values all along the highway, and not just on the small section that will be capped. I urge you to stop and do this project the right way, rather than rushing a billion-dollar project which will have little effect for those living in the area. Thank you!

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From: Brandon Davis
Sent: Thursday, November 2, 2023 11:25:44 AM
To: Fischlein, Eric < >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Davis, Brandon
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I do not agree the plans to cap the 33. The DOT has failed to properly assess environmental and health impact. More entities than just the DOT should be collaborating on a final solution that addresses more than just the flow of car traffic. All forms of transportation, including cycling and walking should be addressed. The best planned cities in the world do not have highways dividing them or running through them. In the best cities I've been to, highways end at the border of the city and turn into parkways. Once in the city, car traffic should move at a slower pace; car traffic should disperse among myriad boulevard arteries instead of one focused, dividing expressway. Please engage more community and look at examples outside of the United States—try Europe! The 33 should be completely filled and turned into parkways, similarly to how the Inner Loop in Rochester has been treated. Olmsted's original parkway should be restored.

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From: Dancing Colors deR
To:
Subject: K-Expressway opinions
Date: Thursday, October 26, 2023 3:01:10 PM

Hi,

My name is _____Valenta de Regil_____. Please accept these comments regarding the September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52):

The Air Quality at Tunnel ends is made worse by focused Portal Exhaust Plumes.

The Tunnel cements in-place that Delaware and MLK Parks will never be connected.

DYSDOT's Tunnel does not comply with CLCPA mandates.

More details are needed from NYSDOT on the extensive asbestos containment required during construction.

Due to these observations and concerns, I demand an Environmental Impact Statement (EIS) Review for this project.

Please also provide a 45-day Extension for the DDR/EA Comment Period. The DDR/EA is over 300 pages, plus nearly 40 Appendices. Providing the public a month and a half to review these materials is not sufficient.

Thank you,

Valenta de Regil

From: Brian Degnan
Sent: Friday, November 10, 2023 8:40:53 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: degnan, brian
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: none
Comment: DOT means department of transportation not department of motor vehicles. Where is the funding for public transportation for the entire city?

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From: Gregory Delaney
To: dot.sm.kensingtonexpressway
Subject: Public Comment for Kensington Expressway Project
Date: Friday, November 10, 2023 4:55:06 PM

First Name: Gregory
Last Name: Delaney
Address:
City:
State
Zip:
Phone:
Email:
Affiliation: East Side Parkways Coalition

Comment:

Since the release of the 9-12-23 Draft Environmental Assessment DDR/EA PIN 5512.52, what has been heard from the community and concerned citizens of the City of Buffalo is a resounding total rejection of NYSDOT's Kensington Expressway Project plan. What I call for here is true restorative justice for the East Side and for Buffalo in the form of highway removal (removing the NY-33 from at least downtown to the NY-198), in order to see the full restoration of Humboldt Parkway, from MLK, Jr. Park to Delaware Park (with the possibility for a further extension through the Fruit Belt and to downtown).

This position is in direct alignment with the overwhelming majority of community voices that have been heard through this process. In attending the evening session of the public hearing on September 27, more than 30 citizens took the microphone, and ZERO spoke in support of the project. Some spoke in pragmatic terms, expressing the belief (and dismay) that this project will move forward with or without community support, and thus turned to concerns on its construction and outcome. But what was heard most resoundingly was a total rejection of NYSDOT's plan, in favor of true restorative justice in the form of highway removal and the restoration of Humboldt Parkway.
This position is in direct alignment with what's happening in cities across the U.S. and world. Further, it is the direction that both public and professional discourse have moved in civil society and the fields of urban planning and design, landscape architecture, and architecture. In this context, there is a decided misalignment between the priorities of the State and those of the community. Because, let's be clear: this is not a billion-dollar investment in the East Side. It is a billion-dollar investment in highway infrastructure, in order to maintain vehicular capacity at the continued expense of the East Side.

I believe, as those who spoke at the hearing do, that the East Side deserves better—to have back what was stolen from it in the first place: Humboldt Parkway, the most spectacular Olmsted parkway in the city, and a cultural landscape of global significance. Further, the East Side deserves economic viability in its commercial corridors, which were robbed of traffic, consumers, and livelihood with the highway's construction. Thus, removing the highway—from downtown to (at least) the 198—is the only fair and just solution in righting the historic wrong that was—and remains—the 33. The radials of William, Broadway, Sycamore, Genesee, and Kensington, along with the corridors of Jefferson and Fillmore, would all benefit tremendously from increased traffic and associated economic viability. The true traffic analysis of what happens to cars when you remove the highway has not been properly studied, and must be properly studied. In short, Concept 10 should not have been eliminated without due diligence in properly studying it as a viable solution, which was done before the possibility for considerable public input. This process is proving that this was a severe misstep by the State and NYSDOT, because it is what the public is demanding. Further, health IMPROVES, because traffic is dispersed (instead of ENTIRELY negatively impacting those that live on one corridor). The idea that health outcomes are worse in Concept 10 is a fallacy that demonstrates irresponsible and wrongful speculation on the side of NYSDOT. Further, our downtown and airport are STILL connected by highway, which would also handle traffic (and accommodation for such should be studied, as is what is happening in Syracuse, which is a very analogous parallel).
Instead of performing a responsible study of multiple concepts, including the "un-build" concept of full removal and restoration, the State is unfairly telling these communities they can never have the Humboldt Parkway back—that it's this: a tunnel and scrappy park (with inadequate soil depth for large trees, which is what was here historically) that dead ends into, and fans toxic pollutants from, the trench as we know it—or nothing. But why does the East Side of Buffalo deserve less than Syracuse, Rochester, Niagara Falls, and "region central" in Buffalo? In all these places, New York State has, is currently, or is in the planning process for, highway removal (including the at-grade-street replacement of the 198 and disconnection from the 190 and 33).

Why? Because when it comes to the 33, the State has decided that minor convenience for white, middle– and upper-class, suburban residents still matters more than the human health, welfare, economic value, viability, culture, quality of life, and overall humanity of Black and Brown Buffalo and the entire East Side—perpetuating decades of racism, classism, and a total lack of proper investment in—let alone restorative justice for—these communities.

The bottom line: we cannot accept the proposed tunnel as the only option for the East Side and for Buffalo. The removal of the 33 and the full restoration of Humboldt Parkway must be on the table for consideration, period. It is what the community is demanding, as we are hearing over and over again (and has been well documented in the Buffalo News and other local media outlets).

Further, this project cannot move forward without an Environmental Impact Statement. It is the absolute responsibility of NYSDOT and the State to recognize that

a project of this scale and magnitude, that requires blasting and asbestos removal, that overlaps with the Scajaquada Creek corridor, that includes MLK Jr. Park in its scoping area, etc., MUST perform an EIS. There is simply no legitimacy to a finding of no significant impact out of the EA process. Further yet, this project DOES NOT adhere to the Climate Leadership and Community Protection Act (CLCPA), which requires a project in this neighborhood (specifically, as it falls within the boundary of what's been included as "disadvantaged") to IMPROVE overall air quality, which this project does not. It is unbelievable that the State would dismiss these mandates—ones that strike at the core of the so-called "community protections" that the State is claiming to care about in passing this important (or, thought to be important) law. Further, air quality of this corridor should be compared with that of Lincoln, Bidwell, and Chapin Parkways in Buffalo, because that is the standard of air quality that these communities have been robbed of.

This project must slow down. You must listen to the community. You must listen to concerned citizens who understand the complexity of such projects. An EIS must be performed. The project must adhere to CLCPA mandates. And Concept 10 must be properly studied in full before ruling it out in advance of significant public input.

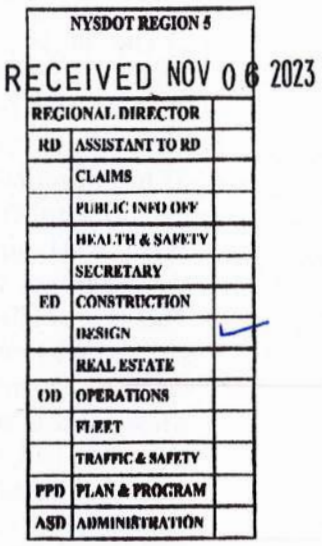
Frankly, NYSDOT should be taken off of this project. This is unfolding very similarly to that of the Scajaquada years ago, where the State pulled NYSDOT and turned it over to the Greater Buffalo-Niagara Regional Transportation Council (GBNRTC). That has resulted in a fair process of community engagement, where all scenarios were properly studied, and is now moving forward with community support—the type of community support that NYSDOT did not have when they were overseeing it. What's moving forward now was something that NYSDOT said was impossible, much like they are doing now with the Kensington. This is proof that NYSDOT is not the responsible authority in proving to work in the best interests of the affected communities.

Lastly, I believe it to wrong that the community outreach office (Janate Solar Ingram) has been pushing pre-filled-out NYSDOT forms and pre-written letters to Commissioner Dominguez in support of this project on area residents, and at community-organized events. I believe the public comment process, as driven by NYSDOT, is meant to solicit ALL comments and feedback through an open process (that blank forms are the only ones that should be coming straight from NYSDOT officials). I would like NYSDOT to respond directly to this, as they must also answer the questions of the public, and respond to all community demands, that have been raised in the September 27 hearing and through this comment process.

Thank you,

Gregory Delaney

Mr. Gregory Delaney



County _Other New York
Addressed to: Governor

Email Subject: Kensington Expressway Project

Issue 1 78001 Dept. of Transportation

Correspondence Number: 1196961P
Date Of Correspondence: 11/01/2023
Date Received: 11/01/2023
Date Entered: 11/01/2023
Referred To: DOT
Date Referred:

Routing History:

11/03/2023 04:19 PM (Routed By --> Kelsey Barrett) (Routed Via Outside Agency Email to --> DOT) This correspondence has been acknowledged and is being forwarded for further action from your agency.
Please provide a copy of response or notation of any other action recommen ded or taken. --
Please respond to Kelsey Barrett

Incoming Correspondence:

Dear Gov. Hochul,

As I am sure you know, there is a growing groundswell of opposition to the Kensington Expressway Project. I write to you as a concerned citizen, and as a member of the East Side Parkways Coalition.

I have been talking with dozens of East Side residents and attended the DOT's hearing on

September 27 (where it is important to note that of the more than thirty people who spoke at the hearing in the afternoon, not one spoke in support of the project).

The concerns over this project are real.

1) This project cannot move forward without an Environmental Impact Statement. It is an absolute falsehood to say that this project could have no impact. It is a $1B infrastructure project that runs through the middle of dense urban neighborhoods that includes blasting, asbestos abatement, and exhaust plumes blowing into neighborhoods, and toward schools, churches, and community centers. There is an environmental impact here, and the health concerns are real.

2) The "un-build" option must be considered (not just "build" or "no build"). This is a call from the communities to remove the NY-33 and fully restore the Humboldt Parkway, one of the most majestic parkways in the world (this is not an exaggeration?I teach urban design at the University at Buffalo), which was stolen from Buffalo's East Side in the 1960s. If the NY-33 had never have been built, we would NOT be talking about building it today (tunnel or no tunnel). Further, the cap is inadequate. As confirmed by the DOT, the 3' of proposed soil depth WILL NOT support large trees, which is what was once here. Further, the DOT is saying that the 70,000 car volume cannot be adequately handled without this highway. That is not true. This is unstudied, and Buffalo is uniquely designed to handle this volume, dispersed among its radials. What we are talking about is 10,000-20,000 cars on each of at least the following: Genesee, Broadway, Sycamore, Fillmore, Kensington, Jefferson, a n d a restored Humboldt. Most of these streets are commercial corridors that DESPERATELY NEED 10,000+ cars, like they once had, to support commercial viability. Removal of the NY-33 is good for economic re-development, and good for these neighborhoods. It also disperses auto pollutants appropriately (until we are all driving electric), as opposed to fanning out the concentrated pollutants of 70,000 cars into one neighborhood (far worse). Further, ROCC is only in support of the current plan because they have been told it is the best the state is willing to offer them, ever. This is unfair. It is not what they have spent the last decade and a half fighting for. And now there is real momentum from these communities to call on the DOT and your office to do the right thing. Or, to at least start by listening to the people, and the feedback you're hearing in this process.

Lastly, this is Buffalo. Your home. Please listen to this town. Your communities do not want this project. It will be a mistake that we will be talking about undoing in just a couple short decades from now. Trust me on this. I'm writing to you as a citizen, but also as a professor at your flagship institution who teaches this subject.

Please feel free to reach out. These communities are desperate to hear from you, and to interact with you.

All the best, and thank you,

Greg

From: Kate
Sent: Saturday, October 21, 2023 2:06:11 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: DeMerle, Kate
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: In 1959, when I was four years old, I stood on Humboldt Parkway and Main Street with my dad. I asked him "why are they cutting down all the trees?" He explained to me that this was progress, and that they were putting in an expressway. All I could see was destruction, and I felt so bad about the trees. We moved from that neighborhood, but I have always thought of that expressway as an aberration, a terrible gash in what was once a very lovely neighborhood. We have a great opportunity here. I think the time has come to fill in the expressway completely, re-establish the parkway to its original beauty, and reconnect the neighborhood that way. Let's undo the terrible decision that was made when this expressway was built. Creating a tunnel is not a solution, but a debacle that will create more environmental problems than it fixes, including a permanent necessity for maintenance. We finally have the chance to do it right. Let's seize the day!

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Sent from my iPhone
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From: Kate
To: dot.sm.kensingtonexpressway
Subject: A great opportunity
Date: Thursday, October 26, 2023 11:51:23 AM

In 1959, when I was four years old, I stood on the corner of Humboldt Parkway and Main Street with my dad. I asked him “why are they cutting down all the trees?” He tried to explain to me that this was progress, and that they were putting in an expressway. All I could see was destruction, and I felt so bad about the trees. All these years later, I have never thought of that expressway as anything more than an aberration, a terrible gash in what was once a very lovely neighborhood. Creating a tunnel is not really a solution, but another debacle that will create more environmental problems than it fixes, including a permanent necessity for maintenance. We have a great opportunity here. I think the time has come to fill in the expressway completely, re-establish the parkway to its original beauty, and reconnect the neighborhood that way. Let’s undo the terrible decision that was made when this expressway first went in.. We finally have the chance to do it right! Let’s seize the day!

Kate DeMerle

Sent from my iPhone

From: Kira Dennis
Sent: Friday, November 10, 2023 6:26:56 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Dennis, Kira
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I think the current plan as it stands does nothing to address the injustice created in severing communities and continuing without actual input from the current community is a further injustice. We need infrastructure that works with our communities.. not one that endangers their safety and ability to walk through our neighborhoods. Transportation accessibility includes preparing for safe travel of pedestrians and bicyclists.

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-----Original Message-----
From: Alex Desha
Sent: Wednesday, October 25, 2023 6:46 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Desha, Alexander
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Resident
Comment: I live by the 198 which connects to the 33 and I would like to see the parkway restored. The proposal by DOT requires further review and rework.

This $1 Billion project demands a full Environmental Impact Statement to allow objective and complete consideration of all the project options and their consequences by the public.
The public health consequences of the 65 years of highway traffic have been resulted in documented and disastrous levels of damaging human death and disease, and the new project will still produce virtually the same levels of pollution, with concentrations at the tunnel ends. This is in clear violation of the Climate Leadership and Community Protection Act that protects this already Disadvantaged Community, which already bears the burden of negative public health effects, environmental pollution, impacts of climate change, and are comprised of high-concentrations of low- and moderate- income households

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From: on behalf of Nancy DeTine
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 11:08:04 AM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Ms. Nancy DeTine

From: Dickinson, Susan
Sent: Friday, October 13, 2023 10:42 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Dickinson, Susan
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: The entire 33 should really be filled in and reconverted to a parkway. The economic impact of that would be far greater for these neighborhoods than your plan would create. However, concerns with your proposed project: 1. Your project should extend farther north (at least to 198) and south to downtown BFL (don't just do something half way). 2. It doesn't look like there are vents along the tunnel route, which is good, but as air will naturally be vented at either end of the tunnel, there will most certainly be a decrease in air quality at those points. What's being done to remedy that, as these are still residential areas? 3. The top coat of soil over the tunnel should be deeper than 3' so roots can grow deeper and trees grow larger.

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From: John Diebold <
Sent: Thursday, October 26, 2023 4:05 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Diebold, John
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Private citizen
Comment: Hearing recent criticism of some public outreach meetings, particularly those where the presenters stood on stage and would not engage, and Olmstead's Conservatory views, I am opposed to the project in the current form. I do support improvements and tunneling the traffic to restore the surface parkway and add greenspace. I do appreciate the need to reconstruct the walls (the tunnel accomplishes this) and replace the bridges. However, this falls short of stated goals to restore the parkway and community. With the tremendous costs encumbered for professional services, and rumblings of discontent, more than a two-week pause is warranted. Moving forward and resisting these comments would be an error. Perhaps this is phase one of a much more ambitious endevor.

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From: Ryan DiFranco
Sent: Wednesday, October 25, 2023 12:04:43 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: DiFranco, Ryan
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Resident
Comment: Rail is the future and not spending an extreme amount of money to cap an already plagued neighborhood. Build a rail line to connect downtown to the airport through the cities east side. This money could be spent better by incorporating rail and also helping build the community.

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From: Joan Dionne
To: dot.sm.kensingtonexpressway
Subject: Covering the Kensington
Date: Thursday, November 2, 2023 4:24:24 PM

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This is the most incredible, absurd, and ridiculous waste of money and resources.

Sent from my iPhone

From: Rich Dombkowski
Sent: Thursday, October 26, 2023 3:50 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Dombkowski, Richard

Address:
Phone:

Email:

Include on future project updates: YES

Affiliation: Resident and 33 commuter

Comment: I am not interested in a covered tunnel. Please fill in the existing route 33 ditch and recreate the original Humbolt Parkway. 70,000 daily commuters can use the 190, 90, or other routes to get to the city center.

The existing proposed plan is too expensive and the tunnel to be built is too short to restore what was destroyed when the expressway was built.

It would be short-sighted to move forward with yhr plan as presented. Rochester is removing the inner loop with little impact for commuters. We need to have the same priorities for this project.

* this email was generated by kensingtonexpressway.dot.ny.gov

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From:
To: dot.sm.kensingtonexpressway
Subject: Plan to cap Route 33
Date: Thursday, November 2, 2023 1:16:55 PM

Bad idea. The return on expected benefits is small compared to the projected cost. Better idea: fill the entire Route in. Cheaper, and avoids creating new problems with capping it; i.e. air quality, maintenance, etc

Again; half-baked, bad idea to achieve a long overdue fix to a historical mistake

From:	Comment via East Side Parkways Coalition
To:	dot.sm.kensingtonexpressway
Subject:	Comment for the Kensington Expressway Project from David Draper
Date:	Monday, October 23, 2023 6:29:34 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

David Draper

Email

Date

10/23/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

© East Side Parkways Coalition.

From: Heather Dubick
Sent: Wednesday, November 8, 2023 5:46 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Dubick, Heather
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Though I think it would look beautiful and be a lovely symbolic offering to a community that was separated years ago when the expressway was built, I think it would be a gross misuse of assets. The community does not need symbolic acts like this it needs better education, to break the cycle of social service dependence, and programs that engage children and families in positive ways. I want to believe that it would be beneficial long term for the community, but it's hard to imagine it actually working out that way.

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From: Patrick Duffin
Sent: Friday, November 10, 2023 2:06:24 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Duffin, Patrick
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Resident of Buffalo
Comment: This proposal is a mind-bogglingly expensive mistake. It was a mistake to rip out a majestic parkway in a residential area and replace it with a highway in the first place. It is unconscionable to spend $1Billion to double down on that mistake.
What will Buffalo city residents for generations to come get from this Billion-dollar project? Apparently a handful of residences will have the highway in their front yard hidden from view, but a few blocks in either direction they will still have an at-grade 6-lane highway through a residential neighborhood just like they do today, with no hope of correcting that in their lifetimes.
Cities around the world, including Rochester, have filled in their freeway mistakes for streets in urban settings to critical acclaim, yet we are being told this entrenching of the status quo is the best for us. That is utter nonsense. Listen to the community that this project most directly affects. This city and the people who live here deserve much better.
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From: George Eberl <
Sent: Friday, October 27, 2023 3:42 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Eberl, George
Address
Phone
Email:
Include on future project updates: NO
Affiliation: Lifetime City Resident
Comment: I am against spending one billion dollars on 4000' of tunnel.
At 77 years of age I have witnessed the destruction of Humboldt Parkway at the time when "CONCRETE WAS KING" and the decades long requests to FIX the damage done. A 4,000 foot tunnel is like "putting lipstick on a pig".
Return the Parkway to the original Olmstead design. EV's and hybrids are much quieter and healthier for neighborhoods that cars go through.
The near empty and under utilized streets entering downtown would become opportunities for businesses to locate when new traffic patterns are found. Speeding would be drastically reduced.
I lived near Sycamore and Michigan until 1963 and still live in North Buffalo. I would hope today's urban planners take a holistic approach and not be married to just moving cars. George Eberl

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From: Beth Elkins Wales
To: dot.sm.kensingtonexpressway
Subject: Public Comment
Date: Friday, November 10, 2023 9:46:18 PM

November 7, 2023

To Whom It May Concern:

Governor Hochul said “this is a once-in-a-generation opportunity to correct one of the most damaging planning injustices of the 20th century and help reunite communities in East Buffalo.” She is absolutely correct that this is an immense opportunity. ***But the tunnel is not the answer.***

In fact the tunnel only offers more of the problem– more exhaust fumes, more noise pollution, more health issues, more damage to homes, more blight, more reliance on cars, more East Side businesses being bypassed, more disconnection and injustices for East Side residents.

The DOT’s inference that there could be a Phase Two is pure deception. The location of the buried Scajaquada Creek and the exorbitant cost make this an impossibility.

The DOT’s stated primary goal to “maintain vehicular capacity” is in direct opposition to New York’s Climate Leadership and Community Protection Act (CLCPA). New York State recognizes that addressing the climate crisis is an urgent issue, but because the NYS DOT only manages vehicular traffic (which makes them increasingly obsolete) their non-compliant plan is already outdated.

The DOT must comply with NYS's climate laws. An EIS needs to be conducted to better identify the many negative impacts included in this project– *and* the DOT must offer more alternatives in order to get the best possible options on the table.

Additionally, the DOT’s community liaison attended an Information Session arranged by East Side Parkways Coalition and asked to speak during the opening Press Conference. She did not introduce herself to the 120 attendees by name or DOT title, and instead represented herself as a concerned East Side resident. Once given the floor, she attempted to belittle the 17 year old MC of the presentation, then passed around pre-filled-out DOT comment letters, and left before hearing any comments from neighbors. This action, along with the DOT’s faulty online submission form, their performative and unhelpful solitary

public meeting, their negligence in maintaining the current highway, and their overall commitment to car-centric objectives, indicates a lack of care for the residents who were forced into hosting this highway.

True opportunity lies in a full restoration of the parkway. True justice lies in filling in the pollution-emitting scar on the East Side and giving back to those residents the parkway that was stolen from them.

Sincerely,

Beth Elkins Wales

Beth Elkins Wales
Nationally Certified Pilates Teacher
IMMA Meditation Leader
she/her/hers
Owner of The Pilates LAB
716.866.8200
164 Allen Street
Buffalo, NY 14201

From: Keelan Erhard
To: dot.sm.kensingtonexpressway
Subject: 33 Comment
Date: Thursday, November 9, 2023 12:38:40 PM

Dear DOT,

This project was flawed from the start as one of the stated objectives was to "maintain vehicular capacity". Based on this objective, full removal was never an option. The objective of the project should be determined by the community and the residents who live alongside the highway.

This project does nothing to alleviate the air pollution that was created from the construction of the highway in the 1960s. In fact, air pollution will get worse at the ends of the proposed tunnel, significantly impacting schools, churches, and residences. There is also over 200,000sf of asbestos in the walls of the 33 which will become exposed during construction which will be harmful for neighborhood residents.

This project does not comply with NY's CLCPA mandates.

This project needs a full EIS review, including full removal as an option and how that would impact the community.

There are no economic or environmental benefits to the community from this project. It would only cost $200-250M to fill the expressway in and create a world class park. That leaves $750M for NYS to invest directly into the community.

This project leaves out the Fruit Belt and Hamlin Park neighborhoods.

The community deserves better. Fill in the 33. Restore Humboldt Parkway. Reconnect the Fruit Belt to Genesee Street. Doing so will activate over 600 buildable parcels for economic development and create a park for environmental and community benefit.

-Keelan Erhard

From: THOMAS ERMER
Sent: Wednesday, September 13, 2023 9:39 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: ERMER, THOMAS
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: NEW YORK TAXPAYER
Comment: Dear Sir's, All this portion of road needs is to be repairs done to the portion that need repairs. Nothing else needs to be done. Covering it up, making it like a tunnel is not necessary. Saying it will bring the community together will never happen. The people living there by and large don't care what you are trying to do with the expressway. USE THE MONEY FOR BETTER PROJECTS. Fixing outdated sewer systems, lead water pipes to homes and businesses would be only a few. DO NOT PROCEED with this project, it is not needed and needs to be rejected. This should be voted on by the majority as a referendum to the TAXPAYERS, Not proposed by the governor.
    This project should NOT go forward.

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From: THOMAS ERMER
Sent: Monday, November 6, 2023 8:00 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: ERMER, THOMAS
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: ERIE COUNTY TAXPAYER
Comment: Dear Sir's, This project is still not being heard from the people of Buffalo. It is a waste of my hard earned taxes. Using this amount of money will not fix the problems you think are occurring on the East Side. Repair and enhance the road by filling it in or covering it up won't change a thing. There are MANY other roads that could be fixed and renewed with this money, just NOT the KENSINGTON EXPRESSWAY. We DON'T WANT what you are forcing down our throats.

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From: Allison
To: dot.sm.kensingtonexpressway
Subject: Removal of the 33
Date: Wednesday, October 25, 2023 5:03:32 PM

I support the removal of the 33. Capping it and allowing the degraded and dangerous air quality persist in a community already dented by the building of the 33, redlining, racial inequality and environmental neglect seems short sighted.

Allison Ewing
Buffalo NY 14201

-----Original Message-----
From: PATRICIA
Sent: Friday, October 27, 2023 8:00 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Farley , Patricia
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalo resident taxpayer and frequent driver on Kensington
Comment: Not in favor of tunnel project.
Why the threat of the one billion not being used on something else in WNY??
Senior housing in Every council district is SO needed. Many cannot continue to live in the big, old Buffalo homes and can't afford assisted living.
Proposed projects should be put up for taxpayer votes.

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From: Favorito, Tony
Sent: Tuesday, October 31, 2023 3:14:40 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Favorito, Anthony
Address
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I have a hard time understanding why the Kensington project is more important than many other municipal projects in Buffalo. When I think of the state of many of our streets, our schools, and our neighborhoods across all of Buffalo's expanse, it's hard to justify spending a lot of money to cover a highway. The long term maintenance of a structure like that will only be a further drain on the city. If anything, the road should become a surface level road, but even that makes little sense at this point in time. Move on to more valuable projects.

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From: Felt, Jordan
Sent: Tuesday, October 10, 2023 2:58:56 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Felt, Jordan
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: This project is underwhelming at best. Restoring Humboldt parkway is a noble cause but if the city insist on not narrowing the 33 the project is a mute point. Air pollution in the area will be more or less unchanged. Noise pollution will only be mitigated in a small section of the roadway.

Not only would narrowing/removing the 33 help the city meet it's goal of limiting noise and air pollution, it would also remove several poorly planned dangerous intersections along the route.

It is unfortunate we see the city valuing the comfort and ease of drivers from outside the city over the safety and health of it's own residents. I would love nothing more than to see the restoration of this Olmsted pack, but the way in which this has been proposed in a gross misallocation of funding.

There are a number of overbuilt streets along the 33 which will be just as deadly after this project. Focusing on reducing traffic through this area is the only way in ensure the safety and health of residents.

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From: Lukas Fetzko
Sent: Wednesday, November 8, 2023 9:06 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Fetzko, Lukas
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Community member + architect
Comment: I demand an environmental study be conducted so that the community is properly informed on any and all environmental impacts of this proposal. Additionally I believe this protect is misguided and a complete removal of the 33 expressway with a restoration of the original Olmstead parkway system to be the only viable solution. This project would be both cheaper and more successful at aiding in reviving both the East side of Buffalo and the city as a whole. The current proposal kowtows to suburban traffic instead of the residents of the city itself. The traffic concerns can be easily absorbed but the existing city grid which supported a population twice the size when the expressway was initially built. Please listen to reason and use these funds to actually improve the city for those that live in it as opposed to appeasing contractors and those who are interested in keeping the city if Buffalo focused on cars instead of people.

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From: Gretchen Fierle
Sent: Friday, November 10, 2023 3:25:11 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Fierle, Gretchen
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: The population of the city of Buffalo was significantly more than now. Olmsted developed a parkway system to accommodate that population. To think that covering a portion of an expressway will connect our parkway system and communities is short sighted. We made a huge mistake taking federal funds for the rapid transit system; let us look down the road with data, strategy, and a plan that will ensure the end we all wish. Just because funds are available should not dictate that we take them to do an incomplete project. A full assessment should be made. And we owed that to our city and the communities we divided. My father and grandparents were raised in that neighborhood which is now ruined due to the Kensington. A full study should be completed! Including assessing the parkway system Olmsted created for far more people than we have now. As a taxpayer, and lifelong resident of our community, I expect this to happen and nothing less.

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From:
To: dot.sm.kensingtonexpressway
Subject: Public Comments for NYS DOT Kensington Expressway Project - PIN 5512.52 DDR/Environmental assessment 9/23
Date: Thursday, November 9, 2023 6:52:54 PM

Dear DOT,

This is being written by two former residents of Buffalo who are looking to possibly relocate back there for their retirement. We have witnessed many positive recent developments in Buffalo after living in the city during the economic devastation of the 1970's. We are very concerned that the leaders in the state of New York and the city of Buffalo are not seeing this project as part of a gateway to a renaissance for more sustainable and safer living in the Queen city for our future generations.

First, we must make sure the Humboldt Parkway is fully restored from MLK Park to Delaware Park to ensure a healthy and safe environment for Buffalo's present and future residents.

Second, the blasting and toxic exposure of building a tunnel through a neighborhood that has been ravaged for decades would put all the residents and their homes at risk. It would be sheer negligence not to consider the exhaust toxins from thousands of cars being pumped into the air from the tunnel, possible toxic spills and explosions from the frequent accidents which currently occur on a regular basis on route 33, which are witnessed by residents in the Humboldt neighborhood. Not to mention the radon gas that will be released when bedrock is dynamited in front of all their homes.

Third, construction of a tunnel will not comply with Climate Leadership and Community Protection Act mandates. It most certainly will put many Buffalo residents at risk for asbestos contamination when being removed for the construction of a tunnel.

Fourth, the expressway should be covered over and removed! What the DOT is proposing is a step backward in time and so ill advised as far as building a tunnel through an historic neighborhood which will further disrupt people's lives, property, and health.

Finally, ditch the tunnel project and create a more thoughtful plan in partnership with the people who will be most impacted by this reckless tunnel plan which will destroy any hopes of a better future for their children.

With much concern,

Errol and Anthonette Fisher

From:	on behalf of Laura Fleischmann
To:	dot.sm.kensingtonexpressway
Subject:	Kensington Expressway Project
Date:	Saturday, November 4, 2023 6:06:45 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Miss Laura Fleischmann

From: Michael Florczak < >
Sent: Saturday, October 28, 2023 8:09 PM
To: >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Florczak, Michael
Address:
Phone:
Email: _

Include on future project updates: YES

Affiliation: American

Comment: Hello, standing a far and trying to stay up to date on this project, it always seemed to me that spending $1B on this project was risky. After hearing about the Olmstead Conservancy concerns, I agree more. Is this the best we can do like all other Gov't projects in WNY. I am not totally against, but we need more consideration given to it. Also, my wife who does not like to drive on the Kensington to begin with, and does not like tunnels, will we be able to exit before the tunnel, get on the parkway and then back on the Kensington? What is the return on investment spending the $1B? Besides reconnect neighborhoods, what else does this project bring to the table. Thanks.

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From: Vickie L. Frears
Sent: Friday, October 27, 2023 9:56 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Frears, Vicki
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Covering the expressway is not only a huge waste of money, but also extremely dangerous. There are accidents at least once a week on this road. What happens when you are trapped in a tunnel after an accident? If this cover is completed, I will not use it, but instead use the city streets. I am sure I will not be the only person to do this, so this will cause increased traffic to the neighborhoods. How is this benefiting the community?? Why not spend some money tearing down abandoned homes and removing lead from others? Please do not go ahead with this project.

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Please note, coverage cannot be bound or amended without written verification by an agency representative.

From: Andrew Fuchs
Sent: Saturday, October 21, 2023 7:13:32 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Fuchs, Andrew
Address:
Phone:
Email: _____
Include on future project updates: NO
Affiliation:
Comment: I feel that by pushing to cap the Kensington expressway the NYS DOT is neglecting both the needs of the surrounding community and the future needs of the entire region.

The cap options are preferable over no build, but I don't think adequate consideration was given to option 9 of the scoping report. Judging from anecdotes, the current NY RT 33 absorbed traffic from Genesee St. and Broadway Ave.. Neighborhoods along those streets have decayed in the time since the Kensington opened. Improvements to those streets should have been considered as part of the project instead of simply dismissing option 9, especially considering the massive price tag of the cap options compared to their alternatives.

Even then, that solely focuses on vehicular traffic and ignores if any improvements to pedestrian, public transportation, and/or cycling infrastructure would impact the project, which is something that should be a bigger focus of transportation planning than it currently is.

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NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT
P.I.N. 5512.52
PUBLIC HEARING
SEPTEMBER 27TH, 10:30AM-2PM & 4:30PM-8PM
BUFFALO MUSEUM OF SCIENCE
COMMENT FORM

Name:_____ Affiliation (if applicable):_____

Address:_____ Date_____

Phone Number:_____ E-mail:_____

COMMENTS*

- [x] I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers
- [x] I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates
- [x] I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment
- [x] I do NOT want this expressway to cut through our neighborhoods—it should be removed
- [x] I DO want improved air quality for all Humboldt Parkway and residents and neighbors, in order to provide a healthier future for our children and grandchildren
- [x] I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to "build" and "no build," including expressway removal
- [x] I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process
- [x] I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park

NAME: Douglas Funke **ADDRESS:**

DATE: 11/8/23 **PHONE:** **EMAIL:**

**Any information provided on this form may become part of the project file, which is a public record.*

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: kensingtonexpressway@dot.ny.gov
Comments are due by November 10th, 2023.

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

U.S. Department of Transportation Federal Highway Administration

From:	Douglas Funke
To:	dot.sm.kensingtonexpressway
Subject:	Public Comments by Citizens for Regional Transit
Date:	Friday, November 10, 2023 12:47:28 PM
Attachments:	111023 Humboldt Pkwy Public Comments Citizens for Regional Transit.pdf

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Dear NYS Department of Transportation:

Here are our comments on the Kensington Expressway Project. Please let us know that you received them. Thanks.

- Douglas Funke, President, Citizens for Regional Transit

Public Comment by Citizens for Regional Transit

November 10, 2023

Re: KENSINGTON CORRIDOR PROJECT

PIN: 551252
AGENCY: NYSDOT

AIR QUALITY: NON

DESCRIPTION: RECONNECTING NEIGHBORHOODS ON EAST AND WEST SIDES OF 1.3-MILE SECTION OF NY RT 33 KENSINGTON EXPRESSWAY.

PROJECT SCOPE: STUDIES

LET DATE: FFY 25

TOTAL PROJECT COST: $1,079,160,000

To Whom it May Concern:

Citizens for Regional Transit (CRT) has attended all NYSDOT's Kensington Project public meetings and your Public Hearing on 27 September 2023. The Comments read by our president, Douglas Funke, at the Public Hearing summarize our comments.

We also stand by the letter we sent NYSDOT on 29 July 2023. Today's letter is an update and expansion.

These comments are in two parts:

(Part 1) The Kensington Project needs to incorporate the larger transportation planning context. The scoping area needs to include more than just 1 mile of expressway. It must consider the Region Central Project and plans for extending Buffalo Metro.

(Part 2) The project must comply with the latest NYS environmental laws, especially the Climate Leadership and Community Protection Act (CLCPA) and NYS' "green Amendment" to the NYS Constitution.

Part 1. The Kensington Project must move forward in the context of WNY transportation long range plans.

Citizens for Regional Transit (CRT) opposes the NYS DOT Kensington Expressway highway improvement project's build alternative after reviewing the NYSDOT design, and the draft Environmental Assessment. The Community requires a comprehensive approach to aging infrastructure. The piecemeal approach taken by NYS DOT is inadequate and does not meet the needs of our region. The Build Alternative does nothing to support the State's goal of reducing emissions via the Climate Leadership and Community Protection Act (Climate Act), and only cements in place truck and car exhaust for a generation or more.

History

Today we have the benefit of learning from history. Plans for the Kensington Expressway were announced November 3, 1950. In a news story published by the Buffalo Evening News, "State Offers Expressway Plan to City" the Buffalo Common Council was approached by NYS with plans for the Kensington Expressway.

The article states the objectives of the proposed Kensington expressway project as:

> "The expressway is designed to break traffic out of its present shackles and to allow an auto driver to cut his running time in half from the airport to downtown or Bailey Ave. to downtown with proportionate saving of time between intermediate points and also to relieve traffic congestion on adjacent streets."
>
> "…to build a two-way, six-lane arterial, separated by a park strip and landscaped along the sides. Its capacity will be 75,000 vehicles a day. It will be devoid of traffic lights, but will have large directional signs."

The cost of the project includes the taking of "639 Residences, 71 other buildings in its path."

Between 11/3/1950 and the start of construction, the plan evolved. NYS championed an elevated highway, but the neighborhood wanted a depressed roadway. The Buffalo Common Council ultimately approved the depressed version we have today.

Does the Kensington Expressway meet its original objectives?

Today we can evaluate whether the project goals were met. NYS DOT traffic count data indicates the highway carries 75,000 cars daily at East Utica Street. Congestion on nearby urban streets and arterials was eliminated. Time savings for motorists was achieved. By these measures and by "level of service" standards the Kensington Expressway is a success story, although at times level of service suffers.

The projected costs were realized. 639 Residences and 71 other buildings were destroyed. Families were displaced. Businesses were ruined. The linear park of Humboldt Parkway connecting Delaware Park and Humboldt Park was ruined. Olmsted parks were disconnected.

Unanticipated consequences and costs

The Kensington Expressway planners thought the expressway would add value to the neighborhood. They said values would rise. They didn't. Property values fell by 80% on Humboldt Parkway and surrounding streets. The most beautiful street in the city, some said in the nation, was transformed into the ugliest street imaginable, ruining Buffalo's reputation as an Olmsted City and costing the entire city immense loss of value and tax revenue.

Inducing 75,000 cars daily from city streets and arterials to the expressway resulted in streets having little traffic. The consequence was economic collapse of the East Side. While reducing congestion and improving safety on Buffalo's arterials, the lack of traffic caused most businesses to close and ruined the east side neighborhoods transitioning them from livable, walkable neighborhoods to business deserts and deteriorated housing.

The collapse of the neighborhood business districts is recognized and is now being remediated by NY State's East Side Avenues Initiative to the tune of $200M. It is counterproductive for NYS DOT to rebuild the Kensington expressway which induces traffic away from the business districts NYS is working to restore. Business districts need the traffic the expressway captures.

The safety record of the Kensington Expressway is appalling. Disabled vehicles put into precarious positions, crashes, injuries, and deaths plague this highway. During the period of October 2022 through January 2023 there were four fatalities on the highway adjacent to the project area.

Deterioration of the expressway walls and bridges leads to today's NYS DOT proposal to rebuild the 6-lane expressway thus repeating the 1960s mistake of destroying a renown Olmsted parkway for the sake of prioritizing travel by car. If the build alternative were to be implemented, Buffalo will have missed an opportunity to reconnect and restore historic infrastructure while applying 21st century priorities and wisdom.

Proposed Build Alternative Objective Deficiencies

According to the NYS DOT Kensington Expressway web site on October 23, 2023:

> "The purpose of the Project is to reconnect the community surrounding the defined transportation corridor and improve the compatibility of the corridor with the adjacent land uses, while addressing the geometric, infrastructure, and multi-modal needs within the corridor in its current location. The transportation corridor is defined as NYS Route 33 (Kensington Expressway) and Humboldt Parkway between Best Street and Sidney Street."

NYS DOT's project objectives in the DDR/EA include "maintaining the vehicular capacity of the existing transportation corridor". This project objective overwhelms all the other objectives and constrains the nature of the project. Many of the comments in previous comment periods were dismissed out of hand because they did not meet the criteria of "maintaining the flow of vehicular traffic." Regardless, there are fundamental problems with the objective as currently stated.

Objective failure #1:
Scope

The limits of the defined corridor are too narrowly defined. There is an unacceptable gap between Sidney St. and East Delavan Ave. The Fruit Belt neighborhood is excluded. These constraints doom the project. The communities that ought to be reconnected extend beyond Best and Sidney Streets as defined in the project scope. To reconnect the community, the project must reconnect MLK Park with Delaware Park and include the Fruit Belt. The defined corridor fails to reconnect the community.

The scope fails in that it is limited to highways and cars and to perpetuating today's car-centric transportation system. The project scope must include multimodal transportation components, especially public transit. And it must include current and future multimodal transportation components. We need to invest in the future. The Kensington build alternative is investing in the past.

Objective failure #2:
New York's Climate Leadership & Community Protection Act Requirements are Ignored

State law demands that the Kensington Expressway project reduce vehicle miles traveled and consider public transportation. The CLCPA requirements are not met by the NYS DOT project objectives. The project objectives must include CLCPA requirements.

Additional Factors to Consider

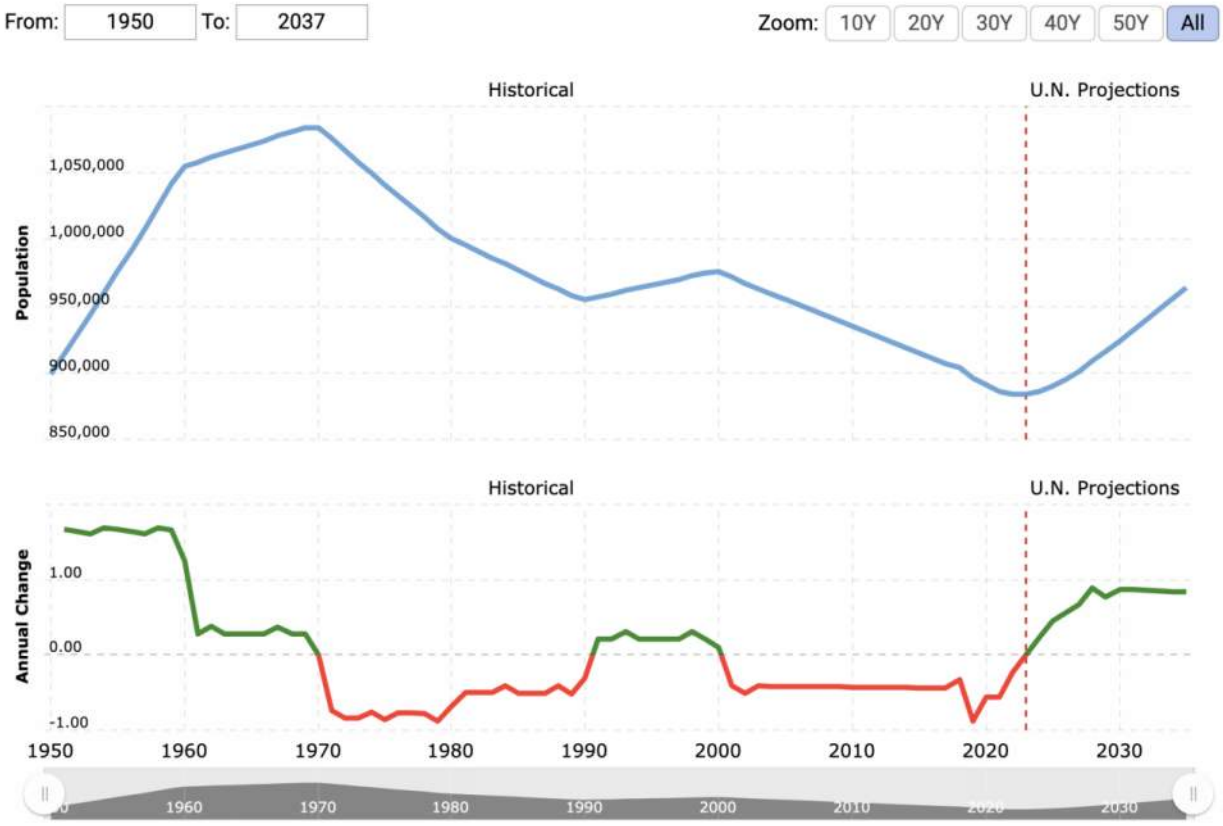
Population changes

MacroTrends[1] from the United Nations shows the Buffalo Area Metro Area Population as follows:
1950 899,000
2023 884,000

The current population represents a 1.17% decline, which is negligible. There are more cars today than in 1950 and there is more sprawl.

According to UN projections, we should be planning now for population growth. This is the perfect time to add light rail rapid transit capacity to the region.

Figure 1 Buffalo Metro Area Population 1950-2037



[1] Buffalo Metro Area Population 1950-2023 | MacroTrends

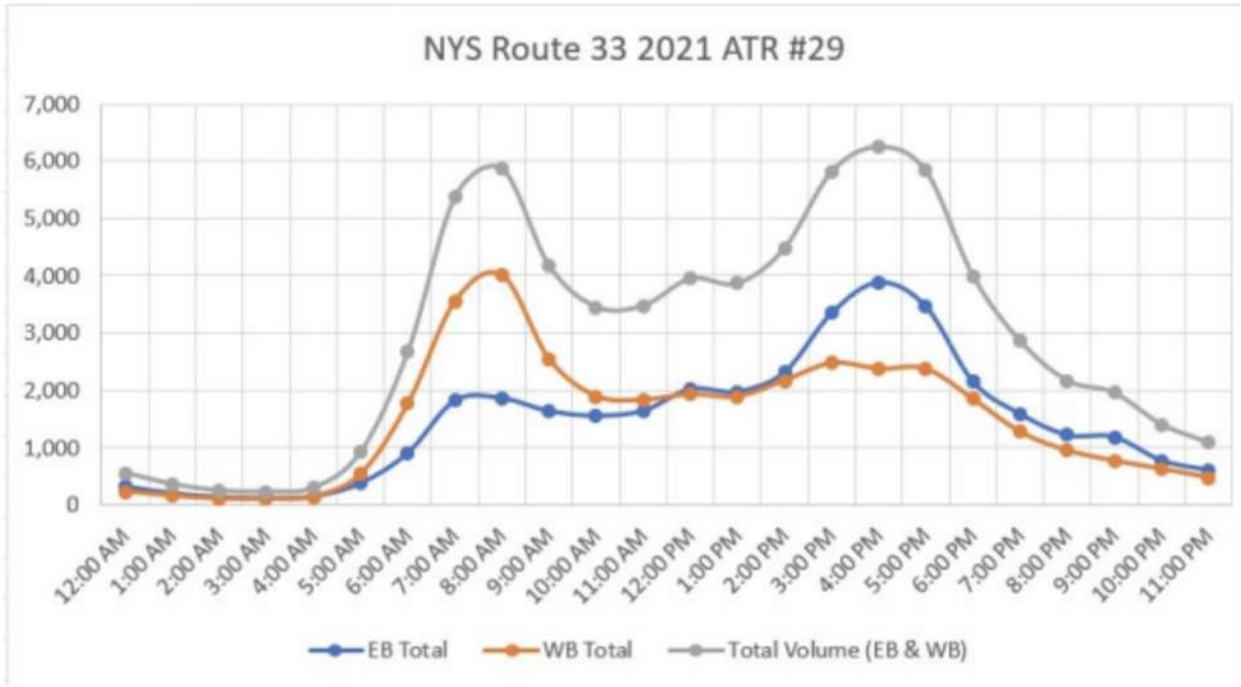
Aging Infrastructure

The Kensington Expressway is not the only infrastructure in WNY that has passed its useful lifespan. CRT is aware that the Skyway Bridge, NY 198, and NY 33 are high priority projects under consideration.

Highway Capacity vs Light Rail Rapid Transit (LRRT) Capacity

Kensington Expressway's traffic peaks at 6,000 cars per hour in both directions.

Figure 2 NYS Route 33 Existing 24-hr Traffic Counts



A full 4-car Metro Rail train comfortably carries 560 passengers. Trains having 10-minute headways peak at 6,720 passengers per hour for both directions. There is even room for additional train capacity by increasing train departure frequency and by boarding up to 700 passengers per train. Rail capacity is about the same as the peak number of people the Kensington expressway currently carries.

Facing Kensington Expressway reconnection facts

NYS DOT and the Governor need to admit it is impossible to reconnect the parks without completely restoring Humboldt Parkway between the Science Museum and Agassiz Circle. Doing so would be the best option for the community, the City, and the region. This involves filling in the Kensington Expressway in more than the currently defined project area.

NYS DOT simply throwing their hands up and doing nothing between Sidney St and East Delavan Ave. proves that the goal of maintaining the continuous flow of traffic is incompatible with reconnecting the parks and neighborhoods. Reconnecting the parks requires new thinking and abandoning the idea of capping the expressway.

CRT Recommends Taking a Comprehensive, Regional Approach

There are large interdependent infrastructure projects planned and underway that should be considered from a regional perspective:
:

- The Buffalo Bills Stadium
- Extending Metro Rail to and refurbishing DL&W Terminal
- Extending Metro Rail to Amherst
- Region Central
- East Side Avenues
- Central Terminal Restoration
- Bus Rapid Transit on Bailey Ave
- NFTA Metro Rail East Side/Airport and Southtowns exploratory studies

NY-198, Scajaquada Expressway/Region Central

Great progress has been made by the Metropolitan Planning Organization (MPO), the Greater Buffalo Niagara Regional Transportation Council (GBNRTC), on the NY-198 project under the name of Region Central. The MPO plan for NY-198 between I-190 and East Delavan Ave. should be integrated with the Kensington Project. Construction of Region Central should be accomplished by NYS DOT while Kensington plans are finalized.

NY-33, Kensington Expressway

The MPO should be tasked with expanding the NY-198 plan to be continuous and contiguous with plans for NY-33 from East Delavan Ave to the Elm/Oak arterial. The planning process should begin immediately.

We think construction of the NY-198 portion should be started right now. The Region Central cross-section proposal for Humboldt Parkway between Agassiz Circle and East Delavan Avenue should be promoted as the candidate preferred alternative. We think it is worth challenging the MPO to complete the plan within 8 months.

The overall WNY population today is about the same as it was in 1950, but there's a lot more cars. The expressway today is carrying 75,000 cars daily. Buffalo arterials, which are now underutilized, can handle added traffic from expressway closure.

CRT has long advocated for expanding Metro Rail from downtown to the airport and Transit Road using existing publicly owned rights-of-way in accordance with longstanding NFTA plans. City streets can handle today's Kensington traffic without gridlock, but anticipated population growth in the near future will require a new high capacity, high speed LRRT alternative. We think the LRRT expansion should be fast-tracked along with the removal of the Scajaquada and Kensington expressways because these projects all affect the same motorists and populations.

This is the environmentally friendly answer to moving large numbers of people now jammed and congested on the Kensington and other area expressways. As we stated, LRRT from Downtown to the Airport and beyond would provide ample capacity for today and future population growth. LRRT meets the NY CLCPA objectives of reducing Vehicle Miles Traveled.

LRRT reduces demand for fossil fuel, while eliminating greenhouse gas emissions. LRRT would also eliminate microplastic and fish-killing 6PPD-quinone pollution from tires. LRRT provides opportunities for equitable transit-oriented development (eTOD). The proposed Kensington Expressway highway project offers no development opportunities for the City of Buffalo or the Town of Cheektowaga.

CRT anticipates not all motorists will switch to LRRT. CRT expects that a good percentage will transition to LRRT while others will use cars on City streets and arterials providing additional, much-needed traffic to traffic-starved commercial streets without causing overwhelming congestion and safety concerns. We think LRRT would bring more people to and from downtown faster than the Kensington Expressway.

The NFTA is currently working on expanding Buffalo Metro into the DL&W terminal and to Amherst. The DL&W extension sets the foundation for subsequent extensions to the East Side and airport. The NFTA expects to have funding in FY2025 (during 2024) to study other extensions, building on the many prior Metro Rail extension studies done over the years.

CRT proposes that design and building the Amherst and DL&W extensions be completed while East Side / airport and other Metro Rail extensions are studied.
The East Side Metro Rail extension should be fast-tracked so that the system is up and running as soon as possible to relieve traffic on Buffalo's arterials and remaining expressways (e.g., the I-190) and to expedite meeting environmental mandates of the CLCPA law. We recognize this is a very ambitious timeline but are confident that NYS DOT and the NFTA are up to the task.

Skyway Bridge

In order to avoid a similar time-crunch for Skyway Bridge removal, we think now is also the best time to embark on the southtowns extension for Metro Rail in conjunction with the new Bills stadium. Having LRRT in place before removal of the Skyway bridge makes the awkward shunt for Route 5 Fuhrmann Blvd traffic to I-190 unnecessary.

The same capacity, equity, eTOD and pollution reduction advantages available for the East Side/airport extension are also provided by the southtowns Metro Rail extension.
CRT has confidence that NYS DOT and NFTA are capable of handing the two large construction projects of the East Side and southtowns Metro Rail extensions simultaneously.

Part 2 Complying with NYS Environmental laws.

Introduction

Beyond the many reasons the build alternative should not be undertaken as proposed, summarized in Part 1 above, it should be immediately rejected and disqualified based on environmental considerations and NYS legal mandates. The original sin of the Kensington Expressway is that it pollutes and poisons the disadvantaged communities that it goes through. As originally stated on Reconnect Our Community's (ROCC) website:

> *"Pollution from Route 33 traffic has caused inordinate respiratory illnesses for families in the community. Give our children a clean, safe environment by decreasing pollution and health hazards caused by heavy traffic volume. Capping the Humboldt section of the Kensington doesn't do anything to help with health outcomes. As a matter of fact, it concentrates car and truck exhaust."*

The DDR/EA build alternative as currently defined fails to meet the most important injustice suffered by the impacted community, Buffalo's East Side.

NYS Environmental Laws Violated

Based on a legal expert's opinion, CRT believes the DDR/EA build alternative selected by the NYS DOT fails to comply with the NYS Constitution's "Green Amendment" and recent environmental laws put in place to combat the existential threat of climate change that we all face.

These laws are too important to the wellbeing of our planet and NYS's economy and health to ignore. The NYSDOT's build alternative fails to comply with:

- The NYS Constitution's "Green Amendment."
- The mandates of the NYS CLCPA law.

The NYS Constitution's "green Amendment" simply states:

> *"… each person shall have the right to clean air and water and a healthful environment."*

This Constitutional Amendment was approved November 2nd, 2021, directly by NYS voters in by a 2 to 1 margin! It is a direct reflection of the will of NYS citizens and must be respected by all State agencies.

NYS CLCPA Law provides specifics. It mandates that NYS projects be developed in ways that participate in achieving 40% reductions in greenhouse gases economywide by 2030 (and 85% by 2050). It's not even close. The NYSDOT build alternative has completely failed to address and meet these legal requirements.

Specific DDR/EA CLCPA and Draft Scoping Plan Violations

The DDR/EA cites the CLCPA law 17 times. On Page 148 it says,

> *"… the Project has been designed and assessed in consideration of the requirements of New York's CLCPA law."*

But on Page 275 the DDR/EA says that:

> *"… the Build Alternative will reduce CO2 by 0.04% by 2047 and therefore the Project would be consistent with CLCPA."*

This is not a meaningful decrease and is many orders of magnitude below the CLCPA mandates. And on Page 201 the DDR/EA says that particulate matter increases.

> "*… particulate` matter equal to or less than 2.5 micrometers (PM2.5) would … increase slightly (6% or less) near the tunnel exit portals."*

We don't agree that 6% is a "slight" increase when levels of pollution are already causing serious health problems for East Side residents as ROCC pointed out so many years ago and is reiterated in this letter with updated specificity.

The project DDR/EA says nothing about concentrations and distribution of micro-plastics, 6PPD-quinone from car tires, or asbestos known to be generated from brakes, pollutants known to cause serious environmental and health damage. Also, the NYSDOT DDR/EA fails to address how the asbestos in Kensington Expressway walls will be contained during construction. If NYSDOT insists on moving ahead with this build alternative, at a minimum, we call for a full Environmental Impact Statement (EIS) analysis that sorts out these issues and fully involves the local communities.

The CLCPA requires DOT to prioritize alternatives that reduce vehicle miles travelled (VMT). Therefore, NYSDOT's DDR/EA section S.2.1 Purpose and Objectives must be rewritten. The following DDR/EA objective itself violates the CLCPA and must be removed:

> *"Maintain the vehicular capacity of the existing transportation corridor."*

The project objectives need to be changed to comply with the CLCPA. In fact, the DDR/EA objectives should include meeting the CLCPA mandates.

Project Scope Shortcomings

Since the project only extends from Dodge to Sidney Streets the noise and environmental pollution will not change at all in the Fruit Belt or between Sidney and Delavan Streets. Sadly, the build alternative will ensure that the expressway and all its pollution will be in place for decades to come. This is the Kensington's core injustice, which is not being addressed.

The CLCPA Draft Scoping Plan identifies and recommends implementation approaches. It calls for coordination with and improvements in other less polluting modes. The CLCPA specifically calls for transportation plans to be made in ways that encourage use of other less polluting modes. It calls for investments to enhance the availability and viability of other modes, especially public transit. It recommends extending high-capacity transit systems, like Buffalo's light rail rapid transit (LRRT) system.

The DDR/EA NYSDOT website says that the Niagara Frontier Transportation Authority (NFTA)

> *"… is not currently proposing rail service in the transportation corridor…" but that the project will "not preclude potential future light rail projects."*

This is misleading and untrue. NYS DOT defines the Build Alternative scope in a way that intentionally disregards the possibility of LRRT. The NFTA has plans for extending Buffalo Metro Rail. These Buffalo Metro plans for East Side, South Towns and North Towns extensions were laid out in the 1970s and have been updated many times, most recently in 2010. [2,3,4,5,6]

[2] Nagara Frontier Transportation Authority Strategic Transit Assessment Working Paper, August 27, 2001.

[3] Niagara Frontier Mass Transit Study, Federal Project No. NY-T0-4, NY State Project No. 5820.00, November 1971

[4] Erie County Transit Service Restructuring and Fare Study – Strategic Assessment, Final Report, August 2010.)

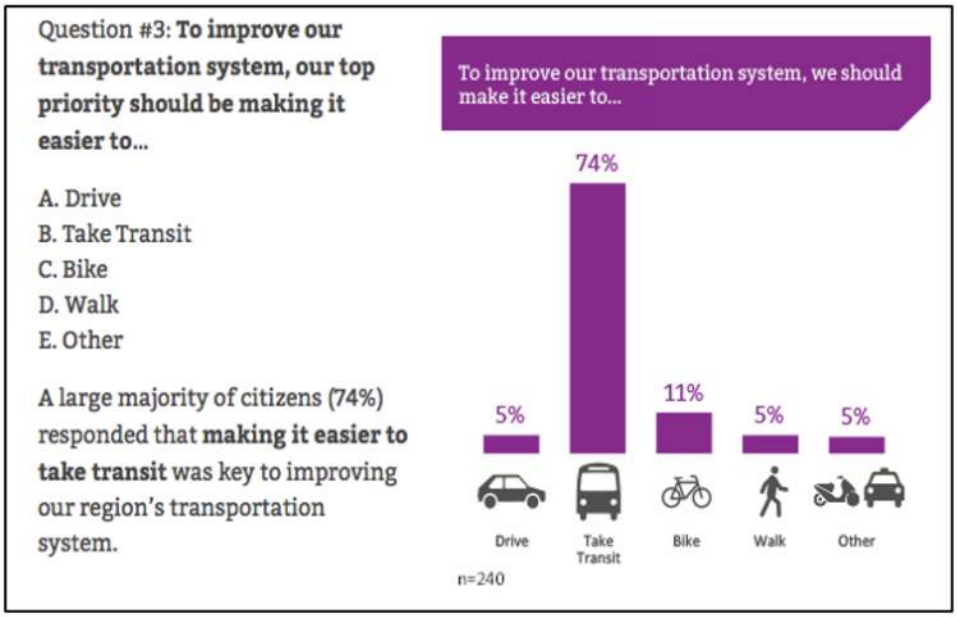
[5] Comprehensive Transit Oriented Development Final Report. GBNRTC / WSP. August 2018. (https://www.nftametrorailexpansion.com/pdfs/buffalo_tod_book_export_20180919.pdf)

[6] NFTA-METRO Transit Development Plan, April 2019. (http://www.nfta.com/pdfs/2019/public_info/2019-transit_development_plan.pdf)

In addition to the NFTA transit expansion plans, the GBNRTC conducted a comprehensive community driven plan defining regional priorities including desired transit services, under the One Region Forward Program. Here is a reference and link to the One Region Final Report in 2015.[7]

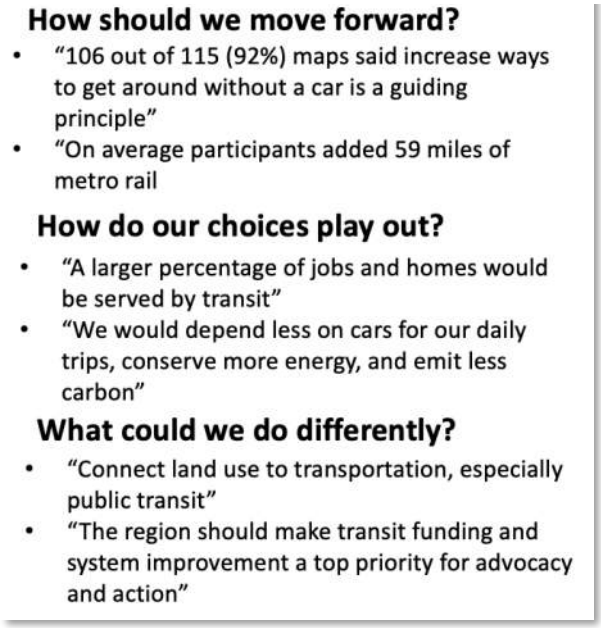
One Region Forward was led by the GBNRTC, the UB Regional Institute, and the Buffalo-Niagara Partnership. It held workshops in both urban and rural areas across the 2-county WNY region. There was a strong consensus that we need more investments in improving public transit rather than highways. Here's a chart from one of the surveys followed by a sampling of what the people said should guide us moving forward.

Figure 3 UB Regional Institute Survey Results



[7] One Region Forward Final Plan. GBNRTC. 2015. http://bap-home.net/solarize/wp-content/uploads/28/2017/05/1RF_A-New-Way-To-Plan-For-Buffalo-Niagara _FinalPlan_Reduced.pdf.

Figure 4 One Region Central Participant Comments



We call on NYSDOT to follow the guidance of the One Region Forward Project and apply a community-focused process in the program.

The East Side/Airport LRRT extension CRT has proposed based on NFTA plans would directly affect the Kensington Expressway traffic study even though it is not in the very limited NYS DOT's defined project scope.

The NFTA intends to initiate a study to update Buffalo Metro extension plans in FY 2025 (commencing in 2024).

The extension of Buffalo's light rail is specifically called for in the Erie County Climate Action Plan, which brings the CLCPA mandates to Erie County. The off-handed dismissal of these plans is an insult to the hard work of the NFTA and Erie County Climate Action Task Force.

One major failure of the DDR/EA is that it does not consider long-term alternatives to driving and cements in place the six lane Kensington Expressway for decades. The plan spends $1B for 1 mile of expressway assuming that this will be the way everyone travels. This is arbitrary and capricious and wastes $1B of tax money. By assuming that maintaining today's vehicle capacity is the right solution long term ignores 21st Century changes in how we travel, like:

- Changes in travel habits due to the pandemic and the ability to work remotely. For example, many companies like M&T already have hybrid work schedules.
- NYS CLCPA Scoping Plan calls for improvements in public transportation.
- NFTA plans call for extending Buffalo Metro Rail over time.
- Plans for adjacent Region Central Project. These need to be part of the planning for the NYS DOT Kensington Expressway project.

To spend $1B on this 1 mile of road in isolation without considering the larger transportation system is myopic and wrong. It misses the bigger picture and locks us into a future based on 1950's priorities and values.

Failure to Address Economic Justice Requirements

An important part of the CLCPA mandates is for economic justice. In fact, the CLCPA specifically states that investment benefits should be targeted to disadvantaged communities. For example, the CLCPA states:

> *"Actions undertaken by New York state to mitigate greenhouse gas emissions should prioritize the safety and health of disadvantaged communities…"*
>
> *And should "… identify measures to maximize reductions of both greenhouse gas emissions and co-pollutants in disadvantaged communities …"*

The targeted community of this project qualifies as disadvantaged, as the NYSDOT DDR/EA correctly points out. However, the pollution levels stay the same or get worse. This is a violation of the CLCPA.

The DDR/EA states that 39% of the Humboldt community does not have access to cars. But they will have access to 100% of the pollution. Further, with so few people with cars in the targeted area, the question of who this road is for should be asked. Where are all these cars coming from and going? Answering this question will help make the right decision on this project. We believe a community-based decision considering these data, like was done on the Region Central Project is called for.

Conclusion

We believe the NYSDOT Build Alternative violates both the spirit and letter of the CLCPA law and should be rejected immediately. A balanced, community-driven approach to the Kensington Project that meets CLCPA mandates is called for.

On behalf of Citizens for Regional Transit.

Sincerely,

Douglas Funke
President
Citizens for Regional Transit

From: Dolores Funke
Sent: Friday, November 10, 2023 3:04:07 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Funke, Dolores
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This project must receive a complete environmental assessment.
A proper assessment of greenhouse gas pollution must be included.
Particulate matter and CO pollution must be included.
Also, structural impacts from the mechanical, chemical and explosive work on the rock strata must be assessed in the full radius of potential impact around the site.

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From: Adam Galbraith
Sent: Friday, October 27, 2023 7:46:01 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Galbraith, Adam
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation: Buffalo native
Comment: This project is just a blatant waste of taxpayer money in a weak effort to greenwash a neighborhood that has already been irreparably damaged by the original project. why can't that money be spent on repairing and maintaining the infrastructure we already have? or investing in bike infrastructure? we already have great paths now but being so isolated from each other they are ineffective as a means other than recreation. If you want to connect the community of buffalo there needs to be easy access for anyone regardless of income, race, ect to get around in a safe and car free way. This project is an expensive solution to one that could be solved by reducing speed limits, installing sound suppressing panels along the roadway, and overall providing infrastructure that reduces that requires a car. please reflect on what the original goal is here. I'd rather see the money go to helping connect all the great places in this city be connected in a way that's accessible for everyone.

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-----Original Message-----
From: Saroya Garcia-Ladiana
Sent: Thursday, October 26, 2023 12:51 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Garcia-Ladiana, Saroya
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Neighborhood/Community
Comment: Please do not build this tunnel, it's not a safe way to create the parkway and the risk is too high to the neighboring community. Buffalo received a billion dollars, why are these resources being cheaply & recklessly used?!?? This would never be allowed on Lincoln parkway or higher net worth neighborhoods & homes. Not to mentioned the hazardous off gassing that will occur and this will definitely create a class action law suit. SCRATCH THE TUNNEL IDEA!!!!!!

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-----Original Message-----
From: Linda Gellman
Sent: Thursday, October 26, 2023 1:12 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Gellman , Linda
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Ashland Avenue Block Club Leader
Comment: I am not in favor of a tunnel system. I prefer the whole thing filled in. Return it to is original design. Fix the roadways and people's homes and foundations and water tables that were damaged when the 33 was put in.
I do like the plans for the surrounding roadways being fixed up and rerouted with roundabouts.
The people who come in and out of the city for work can use the 190-290 roadway or use local roadways Main St. , Kensington Ave, Bailey to Broadway or Genesee to get into the city.
Fix up all our roadways with this money. Clean up and bring life back to Broadway, Genesee St, Jefferson & Fillmore area.
Figure out who is going to care for the parkway and trees.
By 2028 the mess this construction is going to make, people will have figured out how to get around the city.
The digging up of an Olmstead Parkway for a 6 lane highway would never have gotten passed today. The right thing to do is put it back, fill it in and let's upgrade our public transportation!

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From: Gregory Gima
Sent: Friday, November 10, 2023 3:08:48 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Gima, Gregory
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: The only acceptable solution is to fill it in and fully restore the Olmsted parkway. It will add a few minutes to my commute, but that's fine with me!

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From: Susan Gingrich
Sent: Thursday, October 26, 2023 6:29:15 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Gingrich , Susan
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I am not in favor of the current plan to slap a cover on-a mile or so of the Kensington expressway. The one billion $ price tag could be put to better use to improve areas around the expressway so that residents would actually be fit from better housing and services.

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-----Original Message-----
From: Scott Glasgow < >
Sent: Sunday, October 29, 2023 12:22 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Glasgow , Scott
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Black Rock Historical Society
Comment: Restore the parkway, the current proposal will have no appreciable impact on the city or neighborhood, the project as planned is simply extremely expensive lipstick on a pig.

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Sent from my iPhone
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From: Sam Glavey
To: dot.sm.kensingtonexpressway
Subject: Comment on Kensington Exp. Project
Date: Friday, November 10, 2023 6:04:03 PM

Dear NYS Department of Transportation,

My name is Samuel Glavey. Please accept these comments regarding the September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52):

NYSDOT's Tunnel does not comply with Climate Leadership and Community Protection Act mandates.

The air quality at tunnel ends is ***made worse*** by focused Portal Exhaust Plumes (exhaust will go up by 6%, per NYSDOT's documents).

More details are needed from NYSDOT on the extensive ***asbestos containment*** required during construction.

Due to these observations and concerns, ***I demand an Environmental Impact Statement (EIS) Review for this project.***

The tunnel cements in-place that ***Delaware and MLK Parks will never be connected by a parkway***. The tunnel cannot be extended because it will run into the underground Scajaquada Creek. To properly reconnect the community that was divided by the Kensington Expressway's original construction, **a removal of the expressway and a full restoration of the historic Humboldt Parkway needs to be considered.**

There have been comments made to the media that if there is community opposition to elements of this plan (due to the lack of EIS, the removal of highway removal and full parkway restoration from consideration, among other things) that the money will be removed from the community. **This is unacceptable.** I call on the NYSDOT, Governor Hochul, Congressman Higgins, State Senator Kennedy, State Representative Peoples-Stokes, Mayor Brown, and Secretary Buttigieg to **pledge that this money will not be taken from this community** – simply because the community wants to get the best possible project for itself.

Thank you,

--
Samuel J. Glavey
B.A. in Political Science
B.A. in History

-----Original Message-----
From: John Godwin
Sent: Thursday, October 26, 2023 3:39 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Godwin, John
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Neighbor
Comment: I agree with the Olmsted Parks Conservancy. This project should not proceed. Instead, the Kensington should be filled and Humboldt Parkway restored. This project cannot replicate Humboldt Parkway, and it would be highly unlikely that it would ever be extended to the Science Museum due to the buried creek running underneath the 33. Do the right thing by Buffalo. The 33 was grievously wrong when designed and constructed. It should be removed and Humboldt Parkway restored. Governor Hochul as a native Buffalonian should put an end to this and do what is right.

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From: Jim From Buffalo
To: dot.sm.kensingtonexpressway
Subject: My EA feedback
Date: Friday, November 10, 2023 1:50:07 PM

NYS DOT

Re: Sept 12, 2023 draft design report / environmental assessment, Kensington Expressway Project.

Dear NYS DOT,

Although I am a member of several community organizations that are taking positions on the Kensington expressway project, these comments are my own.

After attending all public forums that I was aware of, including DOT, ROCC, Les Breathe, and East Side Parkway Coalition, I am still in favor of Option #10, which you dismiss out of hand as not meeting the project objective of maintaining the flow of vehicular traffic. I think your project objectives and project limits are far too narrow.

What you do with the Kensington Expressway affects far more than the project area. As you point out, I think correctly, removal of the expressway will cause traffic on city streets to increase. The expressway was built to relieve congestion from city streets, which it did.

Full restoration of Olmsted's famed Humboldt Parkway, but with a complete streets focus, would create problems that need to be addressed. It's been 60 years since city arterials carried the volume of traffic that expressway removal would restore. Entire generations have grown up with very light traffic volume on these roadways. Closing the expressway would suddenly change the character of long abandoned local arterials filling them with an unfamiliar level of cars, bustle, and economic activity and growth. Some will welcome these changes. Others would complain about noise, accidents, and pollution.

While most trips on the expressway are short hops, there are some expressway users that commute between Downtown and Cheektowaga, Amherst, Lancaster, and other suburbs. Expressway removal would cause only minor inconvenience for most users. Travelers who run most of the expressway's length would face double travel times.

To me, the obvious solution is the one proposed in the 1970's to provide light rail

rapid transit. Citizens for Regional Transit and the NFTA have long advocated for extending light rail. Light rail offers the capacity and speed that answers DOT concerns about traffic from removing the Kensington Expressway.

Currently, the NFTA has their hands full with the Amherst Metro Rail extension. Perhaps NYS DOT could pick up the ball and run with it and become the agency that builds Metro Rail Extensions on the East Side and to the SouthTowns. When LRRT infrastructure built by NYS DOT is complete, it could be turned over to the NFTA to operate the system. NYS DOT has a Public Transportation department, and obviously has an eagerness to build things and build them well.

My proposal is to have the NYS DOT commence all these projects as soon as possible:

- Remove NYS-198 as per the Region Central Proposal
- Restore Olmsted Parkway to its original alignment
- NYS DOT (in collaboration with NFTA) Build LRRT connecting Downtown with Larkinville, Central Terminal, Galleria Mall, the airport, and Transit Road
- NYS DOT (in collaboration with NFTA) Build LRRT connecting Downtown with the new Bills stadium in Orchard Park

The impression I have is that politicians want to see transportation projects funded by the infrastructure law completed and the money spent as soon as possible. They want something to show taxpayers right away. Removing Rt 198 and Rt 33 expressways could be done quickly, giving the public something to admire NYS DOT for. Yes, there would be a period of congestion while the LRRT lines are built, but once completed everyone would again give NYS DOT a gold star for doing the right thing.

Thanks.

James Gordon

From: Fischlein, Eric
To: Tidd, Leo; Weisbeck, Valerie
Subject: Fwd: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form
Date: Tuesday, November 7, 2023 12:03:37 PM

From: Kate Gorman
Sent: Tuesday, November 7, 2023 11:57:28 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Gorman, Kate
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I live 2 blocks away from the 33 and am most concerned about the environmental impacts to our health and the shortsightedness of not fully restoring the entire parkway. Viewing this as a highway project, only, is short-sighted and does not provide the comprehensive review necessary to determine how to best provide holistic transportation, community restoration and social justice remedies. The DOT should conduct a Full Environmental Impact Statement, including options for both capping the Kensington Expressway and fully restoring Humboldt Parkway. A project of this scale within a Disadvantaged Community under the NYS Climate and Community Protection Act needs to have an in-depth environmental review beyond the scope of the Environmental Assessment currently presented. This review should include Air Quality monitoring and analysis as well as modeling and assurances of air quality safety during construction, as well as ensure no homes are damaged by the construction.

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From: Tom Graham
Sent: Thursday, November 9, 2023 11:55:58 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Graham, Thomas
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Like many residents on the East Side, I am against spending nearly $1 billion to cover 3/4 of a mile of route 33. The pollution from vehicle exhaust at each end of the tunnel will make it worse for those living near the tunnel ends. The project doesn't restore the original Olmstead park. A cost benefit study would clearly show, at nearly $1 billion, the juice isn't worth the squeeze. As a Habitat for Humanity volunteer, I have been directly involved in building 100's of homes in Buffalo with the majority on the Buffalo's East Side. The single most important way to break the cycle of poverty, is through home ownership. Buffalo has some of the highest vacancy rates in NY state with many city-owned vacant lots on Buffalo's East Side.

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-----Original Message-----
From: Anita Guess
Sent: Wednesday, November 8, 2023 7:33 PM
To:
Subject: [Ext] Kensington express way project

I am not in favor of covering the express way just for partial beautification . We must still remember that it's full coverage to all residents was for decrease in car fumes which would help health issuses improve.

Sent from my iPhone
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: on behalf of John Gulick
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 8:14:20 AM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mr John Gulick

From: Angel Gutierrez
Sent: Saturday, October 21, 2023 10:16:34 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Gutierrez, Angel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I am against this ill-advised and poorly-timed project. One billion dollars is money that the community cannot afford to spend on construction which will likely have a negative influence on the downtown area at a time when it can hardly afford it (Four years of closure!!???). Please consider spending that money and effort to improve the area surrounding the expressway itself. Acknowledging that the original construction of the expressway was poorly researched and executed would be a welcome act. Apologies accepted! Move on to something more reasonable. This project is not welcome.

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From: Mike Habberfield
To: dot.sm.kensingtonexpressway
Subject: comment on Kensington
Date: Friday, November 10, 2023 10:00:08 AM

Hello, surely an EIS is required given the magnitude of an impact on the community, and that this isn't occurring in isolation (the 198 project is linked, conceptually if not physically, and other parks/parkways). Please think outside the DOT box and evaluate holistic concepts. I am eager to explore alternative commuting options, including the subway. And an EIS should be required solely due to Environmental Justice issues, given that the entire impetus for this project is correcting an injustice for this community (environment). How can you rectify a past injustice without fully investigating the context and project's possible outcomes relative to that injustice?

Do you really stand by a decision to make this the most expensive stretch of highway in the world? What is the benefit-to-cost ratio for this?

From: Joe Hall
Sent: Wednesday, November 8, 2023 5:23 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hall, Joseph
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: As a resident of Buffalo's East Side, I am opposed to this project in its current iteration. It maintains most of the 33. It will still pollute the communities it passes through. It keeps Buffalo a car-centric town when this money could be invested in more equitable public transportation. Instead of remedying the historical injustice that the 33 represents, it puts an enormously expensive band-aid over it. Remove the 33 altogether. Use the rest of the money to invest in the communities that the 33 sliced in two. Give those communities a say over how this massive sum of money will be spent.

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From: G HAMMER
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project Comments!
Date: Wednesday, November 8, 2023 2:57:12 AM

Hi! I tried to send this through the NYSDOT website but I don't have Outlook so I'm not sure it went through so here it is again!

This Kensington Expressway project is a complete waste of money. For the cost of this project, many other much more important and useful projects can be done. There was talk years ago about buying up the first 5-10 houses on Ludwig Ave. so that the on-ramp to the I-90 could be moved back, allowing traffic to flow much better on William St. and cut down on all the congestion and traffic accidents that occur in this area. Also, the noise and air pollution in this area is unbearable. The expansion joints on the bridge crossing over William St. as well as the one going over the railroad tracks are horrible. When those 18 wheeler's go over them, all you hear, especially on the empty ones is a "Boom". This is completely unacceptable. Since there are no sound barriers in this section, this would be the perfect time to buy up those Ludwig houses and use this area for the I-90 on ramp, alleviating traffic jams in this area....much more productive & at a fraction of the cost! THANKS!

From: Jeff Hannon
To: dot.sm.kensingtonexpressway
Subject: Public comment
Date: Friday, November 10, 2023 6:31:25 PM

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT
P.I.N. 5512.52
PUBLIC HEARING
SEPTEMBER 27TH, 10:30AM-2PM & 4:30PM-8PM
BUFFALO MUSEUM OF SCIENCE
COMMENT FORM

Name: JEFF HANNON Affiliation (if applicable): EAST SIDE PARKWAYS

Address: Date 10/10/23

Phone Number: E-mail:

COMMENTS*

THIS IS ABOUT THE WORST PROJECT I COULD'VE EVER IMAGINE BEING PROPOSED FOR THE KENSINGTON EXPRESSWAY. 6 ROWS OF MASSIVE ELMTREES TRAFFIC CIRCLES TRANSVERSES SCENIC STROLLS IN PARKS ARE FAR AND AWAY THE MORE ENVIRONMENTALLY POSITIVE CHOICE. BUT THE DOT ISN'T REALLY GIVING US A CHOICE ARE THEY. THIS PROJECT WILL REINFORCE AN INJUSTICE COMMITTED BY THE STATE TO EVERY BUFFALONIAN RESIDENT AND THOSE OF US WHO HAD TO LEAVE FOR LACK OF OPPORTUNITY. MILLIONS OF BUFFALONIANS KNOW THAT WHAT OLMSTED PROCLAIMED TO THE WORLD IN EUROPE, NYC, CHICAGO ETC THAT THE CITY OF BUFFALO IS THE BEST PLANNED CITY IN THE COUNTRY IF NOT THE WORLD. THIS PUBLIC INPUT COMMENT PERIOD I KNOW IS SOLELY FOCUSED ON IMPACTS OF THE PLAN THAT THE DOT HAS ALREADY CHOSEN FOR US BUT IT IS THE WORST BY FAR ENVIRONMENTALLY SPEAKING. WE HAVE SO MANY POOR SICK CHILDREN AND FAMILIES IN BUFFALO THAT DESERVE A BETTER QUALITY OF LIFE. GIVE US BACK OUR PARKWAYS AND STOP TELLING AND FORCING US TO ALLOW THIS HIGHWAY TO CONTINUE TO EXIST. WE CAN CHANGE THE TRAJECTORY OF THIS CITY BY JUST GETTING THIS PROJECT RIGHT. USE WHAT WE ALREADY HAVE AND FIX, IMPROVE AND TAKE GOOD CARE OF OUR OLMSTED CITY.

***Any information provided on this form may become part of the project file, which is a public record.**

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: kensingtonexpressway@dot.ny.gov
Comments are due by November 10th, 2023.

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

U.S. Department of Transportation Federal Highway Administration

From: T Hart
Sent: Tuesday, October 31, 2023 4:14:50 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hartnett, Timothy
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Local 210
Comment: Super big waste of money, as usual. Use the money for schools, existing parks, homelessness or help veterans. 1 billion was wasted on solar city. The green spaces created will not be taken care of. But, what else would u expect from the city of Buffalo. Great job.

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-----Original Message-----
From: Thea Hassan <
Sent: Friday, October 27, 2023 9:07 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hassan, Thea
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Resident
Comment: I am writing as a concerned resident about the proposed cap project for Rt. 33. I live in the Fruit Belt, and my neighborhood is divided by the monstrous highway. If the proposed cap is constructed, increased air pollution will also impact my neighborhood. As a resident, I support complete removal or significant downsizing. The DOT built this monster and caused decades of social, economic, and environmental damage to the neighborhood. You are now responsible for removing it and mitigating the damage you have caused. The highway does nothing to serve people living in Buffalo and only supports quick urban access for suburbanites. There are many streets (Genessee, Broadway, Clinton) to keep moving cars in and out of Buffalo. When a highway is removed, transportation planners predict carmaggedon, but, time and again, it doesn't happen. Remove the highway, restore our community. Reconnect our neighborhoods. Listen to the people who live here. Please do the right thing.

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From: Hayley Hastings
Sent: Saturday, November 4, 2023 12:43:15 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hastings, Hayley
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Please make the Kensington expressway into a parkway instead. Asthma rates are significantly higher in surrounding neighborhoods due to the expressway. Streets such as Humboldt could bustle with business, but instead it has been reduced to just a neighborhood to drive through. Creating a parkway would be a safe way to bring integrity and promise back to the area.

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From: Chris Hawley
To: dot.sm.kensingtonexpressway
Subject: Central Terminal Neighborhood Association - comments
Date: Friday, November 10, 2023 4:56:21 PM
Attachments: CTNA Kensington Expressway 11-10-2023.pdf

To whom it may concern:

Please see attached, the Central Terminal Neighborhood Association (CTNA)'s comments on the Kensington Expressway project.

Thank you,
Chris Hawley

483 PECKHAM ST
BUFFALO NY 14206

CENTRAL TERMINAL NEIGHBORHOOD ASSOCIATION

PLANNING BY DOING.

Kensington Expressway Project Team
NYSDOT Region 5
100 Seneca Street
Buffalo, NY 14203

November 10, 2023

Re: Kensington Expressway

To whom it may concern:

The Central Terminal Neighborhood Association (CTNA) registers its opposition to the Kensington Expressway "partial cover" project as currently conceived, and calls for an Environmental Impact Study (EIS) that will evaluate all options for ameliorating the effects of the Kensington Expressway, including the full restoration of Humboldt Parkway from Delaware Park to Martin Luther King, Jr., Park.

If the Kensington Expressway "partial cover" project proceeds as planned, never in history will the State of New York have spent so much to produce so little benefit. For the once-in-a-generation expenditure, anything less than the full restoration of Humboldt Parkway and the redistribution of commuter traffic onto the East Side Radials would be unacceptable.

Broadway Fillmore is a neighborhood profoundly affected by the Kensington Expressway's robbery of commuter traffic that sustained hundreds of businesses along the East Side Radials at one time. More than a half century ago, traffic engineers assured this community that it was here to solve congestion, and they have succeeded. Genesee Street, Sycamore Street, Broadway, and William Street have never had so little congestion—congestion of people, money, and commerce. We welcome the day when traffic engineers would recognize the benefit that this traffic would bring to the East Side if Humboldt Parkway were ever fully restored.

The CTNA calls for an Environmental Impact Study (EIS) that includes evaluating the full restoration of Humbolt Parkway and returning some of the Kensington Expressway's traffic and commerce to East Side neighborhoods.

Thank you for your consideration.

Sincerely,

Chris Hawley
President

From:
To: dot.sm.kensingtonexpressway
Cc:
Subject: NYS Route 33, Kensignton Expressway Project P.I.N 5512.52--Comments
Date: Friday, November 10, 2023 5:40:34 PM

Ladies and Gentlemen,

Thank you for the opportunity to comment on the proposal to build a deck over a portion of the Kensington Expressway.

I think the proposed project will not accomplish its objective of restoring the neighborhood, and it presents many problems requiring complicated solutions that may or may not be successful. Filling in the expressway and restoring the parkway would better serve the community and motorists be a much sounder use of the tax dollars allocated for the project.

One reason given for building a deck instead of filling in the expressway is that alternate routes are not adequate for the motorists who use the expressway. I speak as someone with a lifetime of experience traveling on the expressway and in the surrounding neighborhoods, having lived in Eggertsville until 1979 and then in the Elmwood Village, going to school and then working downtown, and frequently going back and forth to Amherst. I know the alternate routes; I take them frequently—Main Street, Kensington Avenue, Genesee Street, Broadway. They are wide streets, capable of handling vast traffic volume, and located in neighborhoods I expect would benefit from increased traffic. Motorists are adaptable. They will find the alternate routes. If the project is undertaken in any form, expressway traffic will be disrupted for years and motorists will use alternate routes by necessity. Use of the alternate routes will become habitual, and motorists eventually won't miss the expressway.

The environmental issues presented by the decking proposal—asbestos exposure, air pollution in and at the ends of the tunnel, concentration of traffic at the ends of the tunnel, among others—have not gotten the serious attention they merit. The proposed solutions are complicated and would require constant maintenance. Filling in the expressway could avoid these problems.

Finally, it would be tragic to waste our chance to truly restore this historic Olmsted parkway. It should be one of Buffalo's grand legacies. We have been given this opportunity now and should seize it.

Very truly yours,

Michele O. Heffernan

From: Marc Hennig <
Sent: Friday, October 27, 2023 1:42:25 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hennig, Marc
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Buffalo resident
Comment: Please restore the parkway to orginal design or as close to it as possible .
No Cap Fill in the 33 and restore the parkway. Connect neighborhood that have been harmed

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From: on behalf of Howard Henry
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 8:55:29 AM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mr. Howard Henry

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Alec Herbert
Date: Monday, November 6, 2023 9:42:49 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Alec Herbert

Email

Date

11/6/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Jane Herbert
Date: Thursday, November 9, 2023 12:20:41 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Jane Herbert

Email

Date

11/9/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Susan Hocko
Sent: Tuesday, October 24, 2023 7:00:19 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hocko, Susan
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Please don't do the tunnel project.
Use the money for regular street and road repairs, more lights on routes and bridge maintenance and repairs.

The money needs to be used for these projects not the tunnel project.

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From: Susan Hocko
To:
Subject: No to Kensington project
Date: Thursday, October 26, 2023 4:56:21 PM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Please do not build the tunnel.
Spend the money more wisely on fixing all roads and bridges and install better lighting in those areas that need it most.
That would benefit a lot more people in erie county.

Thank you
Susan Hocko

Sent from my iPhone

-----Original Message-----
From: DARYLL HOLLINS < >
Sent: Friday, October 27, 2023 2:14 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hall, D
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I feel that this is a huge waste of money that will benefit no one. I agree with improving the infrastructure of the surrounding communities. But to waste 1 billion dollars to cover the 33 so people can look at more trees and grass benefits no one! After school programs, community centers and senior services are where the extra money should go after the infrastructure is completed. The community will truly benefit more that way. That is if you are sincere about improving the community. A billion dollars for trees and grass is astatine!!

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From: Yuri Hreshchyshyn < >
Sent: Sunday, October 22, 2023 11:38 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Hreshchyshyn, Yuri
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalo resident
Comment: This project must be done correctly or not at all. Build the highway under the Scajaquada drain. Continue the green median above, repurposing the ramp 33E to 198W to connect with Delaware Park via a greenway under Main St. Instal tall chimneys with fans above the tunnel to suck fumes.

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From: Karen Huffman
Sent: Friday, November 10, 2023 4:59:59 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Huffman, Karen
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: The Kensington (33) needs to be filled in and restored to it's original state as much as possible. Capping part of the Kensington is a short term solution that still has significant health hazards between car traffic and car exhaust. Other cities, Rochester for example, have successfully removed these types of destructive roadways. Yes, it will cost more upfront, but in the long-term so much more money will be saved with improved health and mental well-being.

* this email was generated by kensingtonexpressway.dot.ny.gov

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT
P.I.N. 5512.52
PUBLIC HEARING
SEPTEMBER 27TH, 10:30AM-2PM & 4:30PM-8PM
BUFFALO MUSEUM OF SCIENCE
COMMENT FORM

Name:_____ Affiliation (if applicable):_____

Address:_____ Date_____

Phone Number:_____ E-mail:_____

COMMENTS*

- [x] I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers
- [x] I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates
- [x] I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment
- [x] I do NOT want this expressway to cut through our neighborhoods—it should be removed
- [x] I DO want improved air quality for all Humboldt Parkway and residents and neighbors, in order to provide a healthier future for our children and grandchildren
- [x] I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to "build" and "no build," including expressway removal
- [x] I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process
- [x] I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park

NAME: Ashley Infantino ADDRESS:

DATE: 10/19/23 PHONE

Any information provided on this form may become part of the project file, which is a public record.

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: kensingtonexpressway@dot.ny.gov
Comments are due by November 10th, 2023.

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

U.S. Department of Transportation Federal Highway Administration

From: Raymond Jacobson
To: dot.sm.kensingtonexpressway
Subject: Public comment on the Kensington Expressway Project
Date: Tuesday, October 10, 2023 3:13:51 PM

Hello,

My name is Raymond Jacobson. I live at
My phone number is . My email is
I am affiliated with the UB School of Architecture.
Here is my comment:

I have to say that the project is incredibly underwhelming and doesn't go far enough to reinvigorate Olmsted's original plan for a parkway system. There are also health concerns in regards to the plumes and where the particulates will blow.

First, if you blast 25 feet deep and build this tunnel, MLK park and Delaware Park will never be able to connect as you won't be able to blast north of Sidney St. due to the Scajaquada Creek running below the 33 just north of Hamlin Rd.

Second, instead of spending almost $1 billion on a tunnel only 3/4 of a mile, why not spend that money to remove the 33 from downtown to Eggert, or even to Genesee St. by the airport? Convert the whole thing into a parkway system. Rochester was able to infill the East Inner Loop for $21 million. You can do the same for maybe less than $500 million to turn the entire 33 into a parkway system!

Third, if you convert it into a parkway system, it'll allow drivers commuting to the city the choice of once again using the radial system, boosting economic activity across the city, helping reinvigorate Buffalo's east side.

Fourth, I understand the need to move traffic. However, the radial system is largely unused during rush hour and could easily pick up the traffic without impeding the daily commute time by much time.

Lastly, there's the issue of the exhaust system, the proposed plumes are located in close proximity to schools, parks, daycares, community centers, and the science museum. There's already been issues on Humboldt of increased cases of cancer due to the daily exhaust fumes polluting homes parallel to the expressway. The filtration system suggested isn't good enough. Sure, it meets regulations, but the regulations are weak. The proposed system will do nothing to change health issues in the area.

These are my comments. Please reconsider the design of the project. $1 billion for a tiny tunnel is insane, when you have the opportunity to change greater Buffalo with something better.

Sincerely,

Raymond Jacobson

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Raymond Jacobson
Date: Saturday, October 21, 2023 4:58:30 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Raymond Jacobson

Email

Date

10/21/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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You have been tasked to work on the following record : NYSDOT-23-041813

Subject: HIGHWAYS/ROADS
Name: Stephen Jakiel
Address:
City:
Zip:
Email Address:
Comment: Please don't waste millions of dollars on the ridiculous idea of "capping" part of the Kensington Expressway. Put that money toward REMOVING IT. Don't you hear the people of Buffalo opposing the "cap" project???

Assigned To: HIGHWAYS/ROADS
Name :
Task: FOLLOW-UP
Notes :
Assigned Date: 11/5/2023
Deadline:

608

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT
P.I.N. 5512.52
PUBLIC HEARING
SEPTEMBER 27TH, 10:30AM-2PM & 4:30PM-8PM
BUFFALO MUSEUM OF SCIENCE
COMMENT FORM

Name: Anthony James Affiliation (if applicable): Fillmore forward board member, Broadway-Fillmore Neighborhood Housing Services board member

Address: _____ Date 10-19-23

Phone Number: _____ E-mail: _

COMMENTS*

The original expressway project built in the 1960s was a huge mistake, destroying the longest, and VERY beautiful, Olmsted designed (Humboldt) Parkway. But not just the destruction of an iconic historic resource of national, in fact international, significance, but also the devastation of a very intact residential community, splitting it in half.

Then there is the huge financial cost of this project, not just the initial construction cost, but also the ongoing yearly maintenance costs, and then periodic upgrades that will be necessary. Billions of dollars initially, then millions of dollars in ongoing financial costs. Based on the costs of filling in the depressed Inner Loop removal project in Rochester filling in the 33 would be significantly cheaper.

Then there are the health issues. The project representative said that the fill it in approach would create more pollution. Not only is this statement counter intuitive but I do not believe the science behind it is universally accepted. The traffic will find alternate routes, this has been proven in other highway removal projects in San Francisco, in Milwaukee, in Rochester etc.

So, in conclusion, this project will likely give us another 60 years of not doing the optimal project for the community. It will just be another mistake foisted on the community for another 60 years+

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Comments are due by October 27th, 2023.

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

U.S. Department of Transportation Federal Highway Administration

From: Molly Jarboe
Sent: Friday, November 10, 2023 5:12:22 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Jarboe, Molly
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalonian
Comment: The current proposal is too focused on automobile culture, makes restoration of Humboldt Parkway impossible, does not connect MLK Park and Delaware Park via the parkway and poses environmental threats to the community, therefore, it should not move forward. An environmental impact study is needed.

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Molly Jarboe
Date: Friday, November 10, 2023 5:10:33 PM

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<https://feabega.r.bh.d.sendibt3.com/tr/op/9HhVl5FAcv76F65k5o1T0_cSUoa5ph_YlZibUtOjIg8giaY0hES2CFPxVd3iR_9-7I2DtMV_TeEMfpUXqTSm-w3NRNwiu17gKAJXLgLF2vL2oCgZkOalsNAzA4xXGhM8E8kvnR6ajIeYXPERNRd6jzrCmtdCZc5XBuXnk4MxKSNCoIQAMo_Q-762SGeq46zbypKO9HOZiuMMZS3MmS-D0eoPHzNo5W7x71hrp28Yuw>

To the New York State Department of Transportation

* I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
* I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
* I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
* I do NOT want this expressway to cut through our neighborhoods—period!

* I DO want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
* I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
* I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
* I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)
The current proposal is too focused on automobile culture, makes restoration of Humboldt Parkway impossible, does not connect MLK Park and Delaware Park via the parkway and poses environmental threats to the community, therefore it should not move forward. An environmental impact study is needed.
Name
Molly Jarboe
Email

Date
11/10/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

© East Side Parkways Coalition.

From: on behalf of Emily Jarnot
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project
Date: Wednesday, October 25, 2023 6:37:28 PM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Ms. Emily Jarnot

From: Hugh Jarvis
Sent: Thursday, October 26, 2023 1:25 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Jarvis, Hugh
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: resident and taxpayer
Comment: NYSDOT must stop its misguided efforts to cap a small section of NYS 33 which are not in compliance with NYSDEC State Environmental Quality Review Act. This billion dollar pork project will be the most expensive section of road in the US. NYSDOT has publicly admitted the net environmental impact of capping NYS 33 will be worse than the status quo and has actively mislead the public claiming the traffic cannot be absorbed by our underutilized street network. The more popular alternate plans spend our tax dollars to better advantage existing streets network, with long overdue complete streets development and modern traffic signals, and will accommodate additional congestion through affordable and long overdue light rail out to the airport, as proposed by Citizens for Regional Transit. A restored Humboldt Parkway will bring overall reduction in congestion, crashes, and traffic pollution, and increase connectivity, multimodal transportation, greenspace, financial viability of our community

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-----Original Message-----
From: Annemarie Jason < >
Sent: Sunday, October 29, 2023 10:01 AM
To: >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Jason, Annemarie
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This absurd new project will waste taxpayer money for questionable benefits to Buffalo residents, especially those who reside on the East Side. Like the creation of the Kensington Expressway, its long-ago predecessor, it is another way of writing off the needs of East Side residents. Taxpayer money would be much better spent there on real-life problems that desperately need solutions. For the sake of the environment in the Buffalo area, it seems that the crazy plan to cover part of the highway would be a negative force rather than a positive one. It is hard not to be skeptical, for Buffalonians have learned the hard way that their concerns are not honored when it comes to opportunities for a select few to line their pockets. This is just one more example. In fact, I may be writing this to the wind.

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From: Gwendolyn
Sent: Tuesday, November 7, 2023 10:44 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: JervisWhite, Gwendolyn
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Hamlin Park stakeholder
Comment: I commend Stephanie Barber Geter and the ROCC for their dedication and hard work. I remember the greenery on Humboldt Parkway as a little girl, when I came to visit my family in Buffalo. Coming from NYC, this excited me and helped me make my decision to relocate here. I am sure ROCC has had many discussions on how to proceed and how to secure funding for the betterment of all concerned. I hope their plans are given a chance.

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Sent from Mail for Windows

From: Starr Johnson
Sent: Thursday, October 5, 2023 6:15:52 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Johnson, Starr
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: #A1Day1Group
Comment: This decision was not made or suggested by our community to rejoin the roadway….when the decision was made 70yrs ago to separate the city by buildn an expressway to give immediate Downtown access to those that labeled the area less desirable was of their own and we have made good use of our Separation, now yall have sat behind desk and made the decisions to TAKEBACKOVER our community using "the community asked"as an excuse further proves that the use of a Unwarranted but Targeted Gun Violence to Emotionally Destroy us as a Unit further proves the Malicious Intent behind this decision and many others that were not beneficial to us as a people.
Your Taking funds for unnecessary actions….we need proper infrastructure , we need adequate housing, we need proper healthcare, we need emergency shelters and quality running water and sanitation….Stop building in the name of Affordable that no1 can afford. Stop Politicizing our Poverty and Move Out our way, We will Not Be Silenced… TO HELL WITH UR PLAN TO DISPLACE US AGAIN

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From: ANGELEAH JOHNSON
Sent: Monday, October 9, 2023 9:31 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Johnson , Angeleah
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: UCLA Publuc Health - Ommunity Health Science Graduate Student Researcher
Comment: I support restoring the expressway to it's original structure. I have family members that live right on the expressway that will be greatly affected by tunnel construction, especially since they have serious health conditions. The tunnel will only end up benefitting a few and the construction/the final project may have serious effects on those living near and around it. Restore it to the homestead, greenway it used to be! This will encourage safer traffic conditions, remove the threat of negative health impacts, improve community and cultural relationships, decrease the amount of projects that are racist/unjust in nature (which will make Buffalo look really good to the rest of the country & world) and may even improve physical and fiscal health of the people of Buffalo! Let's do right by them!

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From:
To:
Subject: Kensington project public comment form
Date: Saturday, October 21, 2023 12:37:39 AM

Jackie Johnson

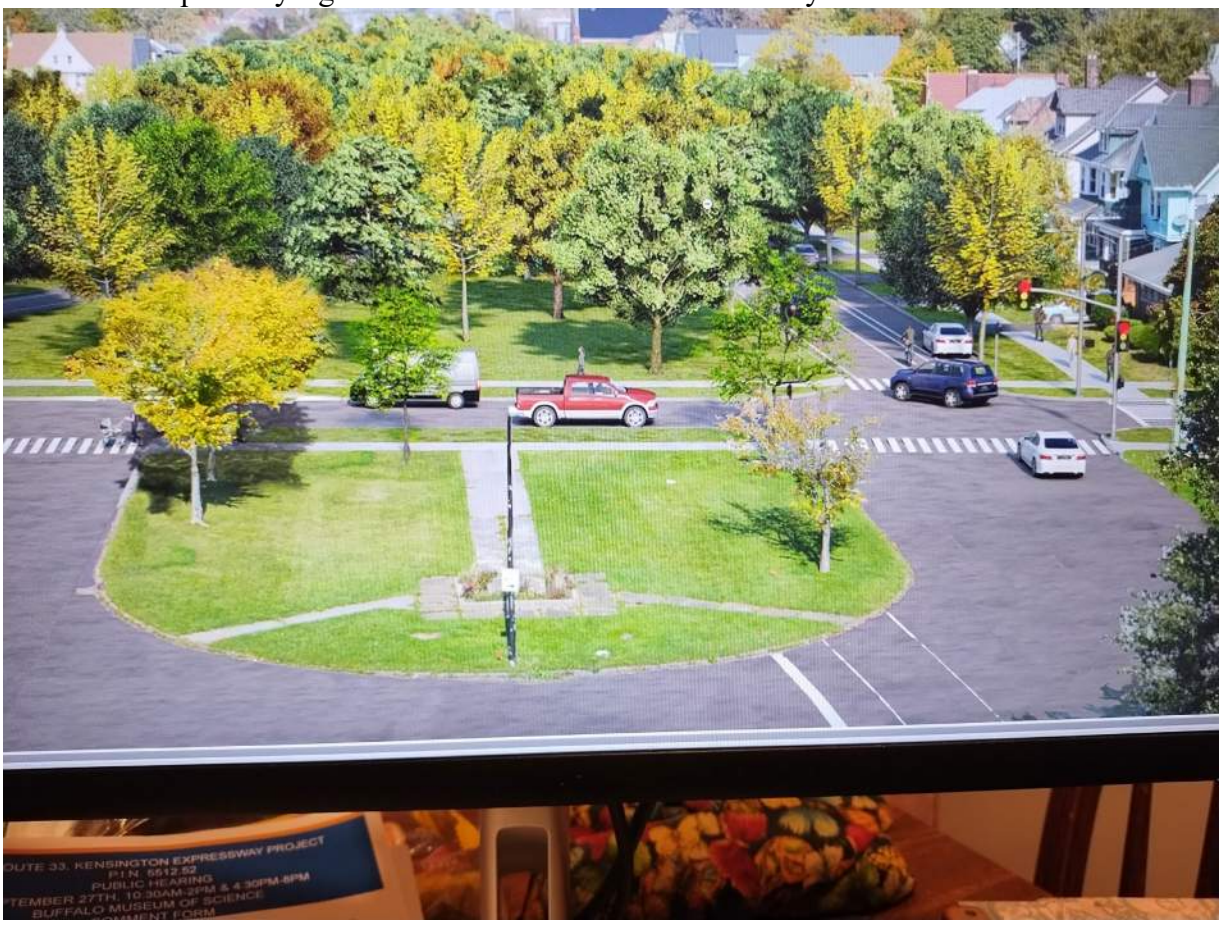
It's a lot to ask of the residents to endure 3 to 4 years worth of consistent noise pollutants inconveniencing our everyday life. How do we get compensated when we need to get away from the construction just to have a peace of mind and some personal time ? not everyone works an 8:00 to 5:00 job.. some of us sleep during the time this project will be in progress.. we should not have to spend additional money just to go somewhere to have a good night's rest or just to do what normal people do during the summer months..

I sit on my porch every day in the summer and I am very concerned I will not be able to do that.. is there some type of funding set aside so that if I along with others wanted to screen our porches in to keep the dust out will that be available to us??
My other concern is during one of the meetings, it was brought to our attention that the Kensington project committee does not have anyone assigned to maintain the park.. so again the question came up who will maintain the park including regular garbage pickup, grass cutting, tree trimming and will that information be available to the residents who live across from the park so that in the event an issue comes up we know who to contact..

Sent from AOL on Android

From:
To: dot.sm.kensingtonexpressway
Subject: Kensington expressway comet form safety issue
Date: Saturday, October 21, 2023 11:26:39 PM

With all of the trees being planted how does the project plan to keep lighting at night on Humboldt parkway when there's so many trees that will block even the sunlight .. this is a safety issue for anyone outside after dust. also who's going to maintain all of the leaves that fall off once fall hits; and did anyone consider what that many leaves are going to do to our gutters ...we have very high roofs on Humboldt parkway... It's like you're taking all of the sunshine that we normally get away... I'm also concerned about this extra roadway that is coming out on to Humboldt in the block where there's property ..why would they not run that road between Girard and Riley where there's several empty lots ...you now have traffic coming on Humboldt parkway right in front of two residential driveways...





Sent from AOL on Android

-----Original Message-----
From: ENA JOHNSON
Sent: Monday, November 6, 2023 11:34 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Johnson, Ena
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Hamlin Park Taxpayers Association
Comment: The plan was to restore like the original design. If there isn't a total covering, the partial covering is NOT adequate in my opinion. The blasting will compromise the integrity of the structure of the homes, NOT just those on Humboldt, but the nearby streets also. The quality of health to the community, which should be the ultimate consideration, has NOT been adequately corrected and appears to be a repeat of the original plan that considers the outsiders convenience over those that live there.

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From: Holly Johnson
To: dot.sm.kensingtonexpressway
Subject: Fill in Kensington Expressway
Date: Thursday, November 9, 2023 12:33:01 PM

Hello,

I am writing to express my opposition to the current plan to cap just four blocks of the Kensington Expressway. I live less than a mile from the expressway in the Vernon Triangle area and I am an avid cyclist who often bikes in the Olmsted Parks system. I also have asthma so I am concerned about air quality issues for myself and the rest of the community.

I do not think the current plan is an effective use of the funding and could create a greater negative environmental impact on the neighborhoods nearest the expressway. I am in favor of:

- Conducting an environmental impact statement study, not just an assessment, to address asbestos mitigation during construction and the impact of the exhaust systems nearest the capped sections of the expressway.
- Developing a strategy to improve the artery streets and neighborhoods like Williams St, Broadway and Genesee before any construction begins to redirect traffic and revitalize surrounding neighborhoods.
- Producing a new plan to fill in the entire expressway, creating a greater amount of green space and better connecting the parkway to the rest of the Olmsted parks as was originally intended.

This decision is too important to accept the first plan presented to the community without considering other options. What we decide to do now could not just heal past wrongs but also reshape the future of our city. We can't afford to make another mistake. I think it's important that we improve as many neighborhoods as possible with the funding available, rather than spending it all on an impractical and expensive cap that only addresses a small part of the problem.

Thank you for your consideration,
Holly Johnson

From: Cecilia
Sent: Thursday, November 9, 2023 1:59:59 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Johnson, Cecilia
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Where is the environmental impact study? How can you justify the cost of this project that will be less than a mile long? We should be looking to fill in the 33 like Rochester did with the inner loop!

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From: on behalf of Judith Judelsohn
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project
Date: Thursday, November 2, 2023 2:48:21 PM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Ms Judith Judelsohn

From:	Clay Kardas
To:	dot.sm.kensingtonexpressway
Subject:	Kardas - Public Comment
Date:	Friday, November 3, 2023 10:36:44 AM
Attachments:	Kensington Project - Public Hearing Comment Form - Kardas231103.pdf

Hello,

Please see attached for my comments on the Kensington Expressway project.

All the best,
Clayton Kardas

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT
P.I.N. 5512.52
PUBLIC HEARING
SEPTEMBER 27TH, 10:30AM-2PM & 4:30PM-8PM
BUFFALO MUSEUM OF SCIENCE
COMMENT FORM

Name: Clayton Kardas Affiliation (if applicable):_____

Address:_____ _____Date 11/03/23

Phone Number:_ _E-mail:__ __

COMMENTS*

The project for Route 33, as it stands, is a superficial solution, a bandage over the deeper wounds of neglect and indifference that have marred Buffalo's East Side. The representatives who preceded us were misled into a deal that continues to echo through our streets, leaving a trail of disparity that the citizens, particularly those on the East Side, have had to navigate for far too long.

Including public transportation in the project isn't just a suggestion—it's an imperative. Our current predicament isn't just about the inconvenience of a longer commute; it's a reflection of a deeper societal divide. The "Draft Design Report/Environmental Assessment" touches on the need for enhanced connectivity and addresses the requirements of transit-dependent populations, yet it stops short of a full commitment to an inclusive transportation transformation that serves all.

The bus system's delays and the metro's limited north-south reach are symptomatic of a larger issue: a failure to acknowledge the role of public transport as a bridge between communities and classes. The talk of expanding north to Amherst, while potentially beneficial, sidesteps the urgent need for an east-west corridor—a lifeline that could reconnect the severed arteries of our city.

Imagine a metro station on the East Side, not just as a standalone structure but as the heart of a newly revitalized public space, a hub of activity and growth. This isn't just about reducing expressway congestion; it's about restoring a sense of unity to a city divided by lines of concrete and steel.

The proposed "beautification" efforts, as they stand, risk being little more than window dressing. We need more than just a "container garden"—we need a project that digs deep, upturning the very soil of inequity and planting the seeds for a truly interconnected Buffalo.

So, as we consider this project, let's not repeat the errors of the past. We have before us an opportunity, a duty, to lay down tracks that lead to a future where all of Buffalo moves forward together. It's time to build not just for necessity but for the potential of what our city can become—a city unbound by the lines that once divided us.

Any information provided on this form may become part of the project file, which is a public record.

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: kensingtonexpressway@dot.ny.gov
Comments are due by November 10th, 2023.

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

U.S. Department of Transportation Federal Highway Administration

From: linda k
Sent: Tuesday, October 31, 2023 1:57:59 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Kasprzak, Linda
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: none
Comment: The proposed Kensington Project is the most ridiculous concept and waste of money I've seen yet.

* this email was generated by kensingtonexpressway.dot.ny.gov
Sent from Mail for Windows

From: M Keller- Cogan
Sent: Tuesday, October 24, 2023 2:54:15 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: KELLER-COGAN, Meg
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Live and work (at Canisius University) in the area
Comment: Given all of the infrastructure and safety needs that exist in Buffalo and have for years, this money would be better spent on road, infrastructure and safety concerns. The pace with which road improvements has been made is too slow. Crime, break-ins and drug issues are pervasive. Hire more police, fix the road issues through repayment and forget this project.

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From: Erin Kelly <
Sent: Friday, October 27, 2023 1:01:12 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Kelly, Erin
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Historic Linwood Association
Comment: I fear a concentration of pollution in a tunnel being vented into the neighborhood the project is intended to mend. It's a massive cost when our city is amongst the poorest in the nation. We have a crisis level of families living in poverty, hungry children and failing public schools. We have urgent infrastructure needs for the sewer (they dump into the lake if they're not completely corroded and blocked) and water lines, potholed streets, a need for improved public transit. Covering a short piece of the 33 is not solving our city's poverty, racism and infrastructure crisis.

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From: Matt Kenny
Sent: Sunday, October 22, 2023 7:19:03 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Kenny, Matthew
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I believe that spending 1 billion + on such a project, without a full environmental impact study, should definitely NOT happen! Furthermore, I believe capping such a small stretch of the 33 is not what we as a community should be focusing on. Instead, I believe a full restoration of the original parkway should be taken into consideration, as well as how it would effect the 198 (scope should be expanded to include both projects) should also be aligned and looked at in full.
Filling in the Kensington seems to be the right way forward, for both the local area (healing the "scar" of the 33 pit) and for the city has a whole, as well as for the county and greater metro area. The arterial roads will absorb most of the traffic that does not want to use the new parkway, and the citizens of the east side deserve the green ribbon of Olmsted's design for traffic calming, recreation, improvement in air quality, and for both equality and equity.

Thank you for your consideration.

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Sent from my iPhone
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Larry Kieffer
To:
Subject: Route 33 Kensington Project
Date: Wednesday, November 1, 2023 11:21:24 AM
Attachments: Kensington Project Rev4-1.pages copy.pages
Kensington letter.pages

Find attached several comments on the subject project. Our elected officials have created a monster, they gave the impression that this proposal would restore the Humbolt Parkway setting and only recently has the public realized that will not be the case. You now have a project costing $1 Billion and it does not meet the public's expectation.

What to do now? Go with a smaller scale project that retains the 75,000 vehicle capacity, but provides wider bridges w/ landscaping amenities such as Alternate 4. At the same time initiate a project to begin addressing the outdated water supply system that will begin to replace lead water lines and provide fluoride. Also look at replacing the outdated combined sewer system to separate sanitary and storm water.

Project Scoping Report - Kensington Expressway
January 16, 2023

This report was released in December 2022 and not surprisingly, it recommends
Concepts 5 and 6 which "meet the purpose and objective of the project'. Both Concepts include a 6 lane tunnel requiring a complex ventilation system. The cost of this ventilation system alone was estimated to be approximately $100 M with maintenance costs between $5-12M annually. These figures came directly from a power point presentation at the Scoping Meeting held on June 30, 2022.

There were other Concepts that I believe would be more practical and affordable including
Concept 4 that calls for a partial decking proposal and considerable landscaping (gardens, shrubs and trees).

An editorial in December "Kensington's moment" sites a comparison of this project to that of Boston's Big Dig. It should be pointed our that the Big Dig original estimated cost was $2.6 B , but ended up with a final price tag of $ 14.8 B.

The NYSDOT and the City of Buffalo need to put on the brakes, step back and revise their purpose and objective of the project to reflect reality and prudent spending of taxpayer dollars. They need to take another look at Concept 4 which meets many, if not all of the original objectives.

Larry Kieffer

LAWRENCE J. KIEFFER
80 PARKVIEW DRIVE
GRAND ISLAND, NY 14072

July 4, 2022

Senator Tim Kennedy
37 Franklin Street #550
Buffalo, New York 14202

Re: P.I.N. 5512.12 NYS Route 33 Kensington Expressway Project

Dear Senator Kennedy;

In response to the recent scoping meeting on June 30th, I am asking you to take another look at this project and your apparent support for it.

I attended the scoping meeting and was absolutely blown away at the estimated costs for the project. Do you have any appreciation for how much this effort to reconnect the surrounding community is eventually going to cost? Did you read the Buffalo News article on June 23rd by Rod Watson "**Bottom-up fixes-not just money-needed on E. Side".** In that article , Dr. Henry L. Taylor is quoted as saying that splashy symbolic projects "create an illusion that something is happening when nothing is happening." He further states "There is not a single example where these symbolic projects have stimulated anything".

So why are you supporting this project? Why not develop an actual investment in the City of Buffalo infrastructure in the form of new water and sanitary sewer lines, sidewalks, bike paths, parks, streets with roundabouts. Provide tangible improvement to increase home values and provide an incentive for private investment

Sincerely yours,

Lawrence J. Kieffer

Kensington Project

I attended the Scoping Meeting for this project on June 30th at the Museum of Science. Several alternatives were presented with the primary focus being the option of covering a portion of the Kensington Expressway (Route 33) with a 3700 foot tunnel, a total length of .8 miles in an effort to restore the area along the former Humbolt Parkway. Currently $1 billion in both state and federal funding is available for the project.

On June 23, 2022, an article appeared In the Buffalo News by Rod Watson where he discusses the work of H. L.Taylor, founding director of the UB Center for Urban Studies. In that article Taylor describes the notion of "splashy, silverbullet" projects that can make people feel good immediately, but have little catalytic effect. Politicians and others promote such projects that Taylor says "create, an illusion that something is happening, when nothing is happening." Citing three examples of such projects, the $1 billion schools reconstruction, $7 million for Martin Luther King Jr. Park splash pad and casino and the Buffalo Niagara Medical Campus expansion, Taylor states "there is not a single example where these symbolic projects have stimulated anything".

So, if these splashy symbolic projects have NOT stimulated anything, why are we proposing to embark on another such project on the Kensington Expressway? The cost of $1 billion (a thousand million dollars) is just the start of the total investment needed to meet the complete revitalization scenario according to the **Humbolt Deck Economic Impact Study** prepared by the UB Regional Institute in March 2014. Where is this additional funding going to come from?

Among the details posted at the Scoping Meeting is a tunnel ventilation system that alone is estimated to cost $100 million with annual maintenance costs of between $5 to 12 million depending on the type of system specified. A 3700 foot tunnel with amenities WILL NOT revitalize the surrounding area.

I believe our elected officials Crystal Peoples, Sen Tim Kennedy and Congressman Brian Higgins must be held accountable for this poorly conceived project and an outrageous waste of taxpayer dollars. Gov. Hochul attempts to compare this Kensington Project to the removal of the Inter Loop in Rochester. These are NOT the same type of project at all, a case of apples & oranges.

If these representatives are capable of obtaining $1 billion in funding for a transportation project with virtually zero transportation benefits, perhaps they could instead find funds to improve the infrastructure in the City of Buffalo. One could start with a new municipal water system that doesn't leak and remove once and for all the issue of lead content in the water. Add to that a modern sanitary sewer system that totally separates storm water from waste water preventing waste water from entering creeks and streams and eventually Lake Erie during heavy rain. Also, it would helpful to have new streets, curbs, sidewalks, trees, bike paths and neighborhood parks. Give the City of Buffalo and its residents tangible improvements that will encourage investment, raise the value of their homes and provide benefits that last beyond the next election cycle.

A common definition of insanity is described as continuing to do the same thing over and over and expecting different results. Do we really want yet another splashy symbolic project?

L. J. Kieffer
Grand Island

Lawrence J. Kieffer

From: Larry Kieffer
To: dot.sm.kensingtonexpressway
Subject: PIN 5512.52 Kensington Expressway
Date: Wednesday, November 8, 2023 2:12:01 PM

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NYSDOT needs to rebuild the Kensington and should proceed with a more practical version (Alternate 4) and enhance the area with wider bridges & include parklike amenities, trees, sidewalks, bike paths etc. The current proposal is now facing major opposition and will never satisfy those who believe that Humbolt Parkway can be restored. Those who believe that this is possible have yet to identify how the NYSDOT will address the issue of 75,000 AADT

In addition to this highway project our elected officials should seek to obtain state & federal funds to begin improvements to the existing waterlines to remove all lines containing lead and to provide fluoride tpo the water. In addition, the City should seek to improve the sanitary sewer system to provide for separating the storm from waste water thus reducing the contamination streams and creeks draining into Lake Erie. These water & sewer project would benefit everyone in the City, not just a narrow corridor of Route 33.

If some transportation dollars go to another part of the state, as Gov. Hochul has indicated, so be it. It would be a mistake to spend $1 Billion on a project that the public does not want. There are very few transportation benefits derived from the currently proposed project. Address the crumbling Kensington Expressway and add reasonable amenities to enhance the area. DO NOT proceed with a tunnel that has a $100 Million ventilation system along with $5-12 Million in maintenance costs.

From: Derek King
To: dot.sm.kensingtonexpressway; Councilmember Wingo - Masten
Subject: Don"t Cap the 33: REMOVE IT
Date: Thursday, October 26, 2023 1:52:40 PM

To whom it may concern,

To put it simply: do not just cap the 33, remove it entirely. From at least downtown to ECMC, if not all the way to the city line, this blighting and toxic stain on our city needs to be removed. It's an embarrassing reminder of Buffalo's racist planning policies of the mid-twentieth century, and it would be a travesty to band-aid over a small portion of it, ensuring it continues to scar our city for another half-century.

My business has operated in Hamlin Park for the last decade, first on Hedley, and now at the corner of Jefferson and Florida Street. I'm 34, and I bought my first house in Hamlin Park in 2015, living there for 5 years. Knowing we are planning on having kids, my wife and I made the decision to move partly with the impact of the highway in mind: I know that the fumes and particulate matter have caused upper respiratory illnesses in my neighbors, and that there is a higher incidence of asthma and bronchitis in children in the community. A cap won't fix that.

I had the privilege to be able to move where I call home, but many of my neighbors don't. I don't plan on moving my business; Hamlin Park is a great neighborhood with a strong sense of community. It deserves better than a short-sighted solution meant to pacify the most vocal supporters, at the sacrifice of long-term financial and physical health for all the other people along that horrific mistake.

Please: Do not cap the 33. For the sake of children and families who live along it now, and who will continue to experience the impacts of that highway, remove it entirely.

Thank you. CCing our Councilmember as well.
-Derek

--
Derek King
Director of Operations

Preservation Studios LLC

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PLEASE NOTE OUR NEW ADDRESS AS OF JANUARY 1, 2018

From:
Sent: Tuesday, November 7, 2023 11:40:01 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: King, Daniel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: NYS taxpayer
Comment: There has been no mention of the lifespan of this "TEMPORARY" Kensington cover project. The community, and its designers, must realize that it is not permanent. It will deteriorate and the fix will be left to future generations. Is it designed to last only 100 or 200 years? This cover project is a huge waste of citizens' resources. The public recognizes stupid ideas, especially from the government. Just remember "Urban Renewal".

Let's accept why the Kensington Expressway was designed and the benefits that have been realized and just do better planning in the future. Shame on the NYS DOT for pushing this wasteful project. Our infrastructure has great needs for improvement. Spend our tax dollars in more worthwhile ways.

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From:	Comment via East Side Parkways Coalition
To:	dot.sm.kensingtonexpressway
Subject:	Comment for the Kensington Expressway Project from Lauryn King
Date:	Thursday, November 9, 2023 10:25:33 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Lauryn King

Email

Date

11/9/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Ashley Kroetsch
To: dot.sm.kensingtonexpressway
Subject: PIN 5512.52 Kensington Expressway Project Comment Form
Date: Wednesday, November 8, 2023 10:06:49 PM

Name: Kroetsch, Ashley
Address:
Phone:
Email:
Include on future project updates: yes

Affiliation:

Comment:

I do NOT want a tunnel to be built that doesn't satisfy the ongoing needs to the city.

I have lived in WNY for my entire life, and time and time again, I have seen these ideas (such as the tunnel proposition) that don't do what is needed and cost so much money to fall short of everyone's wishes and expectations.

The tunnel proposition does not span the length of the 33, and is dangerous for workers and citizens alike. It comes at an astronomical cost and offers few benefits. It just will not work. The more cost effective option, with high potential for influx of revenue and economic opportunity, is to fill in the 33 and reconnect all of the surrounding communities to make urban life sustainable in our great city. This leaves so much room for economic prosperity, especially in areas where much disparity is present.

I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park. I DO want our great city to grow and prosper. * this email was generated by kensingtonexpressway.dot.ny.gov

From: Mark K.
To: dot.sm.kensingtonexpressway
Subject: Fw: 11/10/2023 Comment on KENSINGTON CORRIDOR PROJECT PIN: 551252
Date: Friday, November 10, 2023 5:00:18 PM

11/10/2023

To Whom it May Concern:

The current highway has an enormous negative effect on the health of neighboring residents, as there is low life expectancy, and the high incidence of asthma, cancer, heart disease and stroke ranking amongst the worst in the United States. Specific and accumulated effects of noise, vibration, and microplastic pollution on health and behavior have not been fully considered. Long term studies have not been conducted, nor has the geographic project area had objective selection criteria applied. Encompassing a larger area to the north, southeast, west and east may benefit a greater number of residents, at a same price, with a different project design. How is it possible to make comparison without a hard look beingtaken?

The current health conditions occurring in the project area is a public health disaster, and any transportation facility improvements must prioritize public health above all other consideration.

SEQRA requires a hard look be taken at alternatives before selection of final project be made. My review of the lengthy DDR/EA does not reveal a hard look has been made, the only consideration is given to the tunnel build option/keeping the same "level of (automobile) service" or a no build option. It is unacceptable that a $1 Billion project has dismissed alternatives so callously and has the expectation that there is no significant effect on the environment, much less the immediate community neighbors.

If built as proposed, the project will continue to have negative effect, though in a manner concentrated at the ends of the tunnel portals, where there are schools, parks, churches, community centers and the Buffalo Museum of Science. The DOT's projections show a miniscule .04% change, by the year 2047. Even the most modest statistical margin of error could push DOT's projections into a more deadly result.

An Environmental Impact Study is required in this project.

Sincerely,

Mark Kubiniec

From: Alexandra Kuhns
Sent: Friday, October 20, 2023 7:04:40 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Kuhns, Alexandra
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation: Comuter
Comment: Covering the Kensington is the biggest waste of money. Use these exorbitant funds to repair crumbing bridges. Hochel can still put her name on 10 repaired bridges instead of one stupid tunnel. The dangers for drivers in a tunnel are exacerbated. Why cover something that doesn't need to be covered.

The proposed vegetable garden on top will be be tended to by caring residents and the food will be eaten by uncaring residents and who did not partake in the planting; only the eating.

Stop this tunnel project. If you care about the community, you would add food access and medical help, not a waste of money covered bridge. Whose horrible ideas was this?

Considering the dangers most residents face:lead pipes and health hazards in aging homes, put your money there.

Fixing homes may not be glamorous, but it has a bigger impact on safety, health, and emotional well-being. Do better Buffalo.

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From: dave and karen
To:
Subject: project comment
Date: Saturday, October 28, 2023 12:10:29 AM
Attachments: Kensington Project - Public Hearing Comment Form.pdf

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NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT
P.I.N. 5512.52
PUBLIC HEARING
SEPTEMBER 27TH, 10:30AM-2PM & 4:30PM-8PM
BUFFALO MUSEUM OF SCIENCE
COMMENT FORM

Name: David Kut Affiliation (if applicable):_____

Address:_____Date_____

Phone Number:_____E-mail:_____

COMMENTS*

PLEASE PLEASE PLEASE DO NOTHING ON THE KENSINGTON PROJECT !!!!!!!!!!!!!!!!!!

Moving forward would be a complete waste of taxpayer dollars and connecting the neighborhoods would do absolutely nothing to improve them.

The monies for this project would be much better spent elsewhere like repairing all the unsafe, crumbling bridges all across New York State.

Any information provided on this form may become part of the project file, which is a public record.

You may submit your comments by leaving this form in the comment box, by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: kensingtonexpressway@dot.ny.gov
Comments are due by November 10th, 2023.

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

U.S. Department of Transportation Federal Highway Administration

From: Marcia Ladiana
To: dot.sm.kensingtonexpressway
Subject: Public Comments_DDR/EA_NYSDOT PIN 5512.52
Date: Friday, November 10, 2023 11:28:26 PM
Attachments: M.Ladiana_Public Comments_NYSDOT_PIN 5512.52_Nov_10_2023.pdf

Kensington Expressway Project Team,

Please see the attached pdf file containing my comments on the Kensington Expressway Project Draft Design Report/Environmental Assessment, NYSDOT PIN 5512.52. If you have any questions, please contact me by email or phone at . Thank you.

Marcia Ladiana

Marcia E. Ladiana

November 10, 2023

SUBMITTED BY EMAIL: kensingtonexpressway@dot.ny.gov

Kensington Expressway Project Team
NYSDOT Region 5
100 Seneca Street
Buffalo, NY 14203

Transportation Project Report, Draft Design Report/Environmental Assessment, NYS Route 33, Kensington Expressway Project, PIN 5512.52, City of Buffalo, Erie County

On September 12, 2023, the United States Department of Transportation (USDOT) Federal Highway Administration (FHWA), and the New York State Department of Transportation (NYSDOT) released the Draft Design Report/ Environmental Assessment (DDR/EA) for NYS Route 33, Kensington Expressway Project, initiating a 45-day public comment period. On October 26, 2023, the deadline for comments was extended to November 10, 2023.

The DDR/EA presents two options for the Rt 33 Kensington Expressway Project - a No Build Alternative and a Build Alternative. The No Build Alternative will maintain the status quo. NYSDOT's preferred Build Alternative includes the construction of a tunnel for the main purpose of maintaining vehicle miles traveled, with the planting of small trees and shrubs in three feet of soil on the cover as a green space to enable residents to cross to the opposite side of Humboldt Parkway. This alternative will exclude easy access to the Kensington Expressway for residents in the project area due to the elimination of on/off ramps at Humboldt Parkway and Utica Streets. The Build Alternative has no plan for maintenance of the "green" cover. The Kensington Expressway is currently in a state of gross disrepair and will require action soon.

I have been a resident of Masten Park, included in the proposed Rt 33 project area, for more than 37 years with most of that time spent on Humboldt Parkway. I have worked as an environmental engineer for 33 years. My review of the DDR/EA and associated documents and preparation of these comments are based on my personal and professional experience.

Air Quality Review

1) NYSDOT generated emission factors and emission rates for the contaminants "evaluated" using MOVES3 with estimated vehicle (Erie County DMV info, Inspection/Maintenance Info, etc.) and traffic information. These simulated emission rates were input to Lakes Environmental AERMOD to evaluate the ambient impact of each pollutant on the receptors in the Project Area. Normally emission factors are used only when actual data are not available and should not be used to evaluate a project of this magnitude in a Climate Leadership Community Protection Act (CLCPA) disadvantaged community (DAC) and environmental justice (EJ) area. Aclima collected air pollution data in the Project Area for NYSDEC for at least one year (6/22-6/23). Pollutants evaluated include NO, NO2, CO, CO2, black carbon, and VOCs, with the ability to be speciated for at least benzene, toluene, ethylbenzene, and xylene (BTEX). Although air pollution data was collected with sensors, which are not acceptable for regulatory purposes, these results should have been considered in lieu of emission rates simulated by MOVES3 for input to AERMOD. NYSDOT "evaluated" CO, PM 2.5, and PM 10 at the microscale (local) level and looked (or didn't look) at the remaining contaminants regionally including Erie/Niagara Counties (mesoscale level), which is completely unacceptable. NYSDOT conducted air quality analyses to meet their needs in support of their preferred "Build a Tunnel" alternative. The impact was further minimized by comparing their preferred Build alternative to a "No Build" alternative that only postpones a Build alternative that will maintain the vehicular capacity of the existing transportation corridor and the air pollutants emitted. NYSDOT has done the minimum required by law and less to evaluate pollutants and their impact on project area receptors. Regarding the classification of this community as disadvantaged and an environmental justice area, special measures must be taken to evaluate the true impact of air pollutants on the health and well-being of the children and staff at several elementary schools, residents, including elderly and health-compromised, staff and visitors at the Buffalo Science Museum, churches, etc. directly affected by Kensington Expressway emissions. A community air monitoring study of the area along Humboldt Parkway is warranted and is appropriate for this $1.3 billion project. The Project Area must be evaluated using actual data collected along the Kensington Expressway, including criteria pollutants, ultra-fine particulates (nano-sized particles from mobile sources), mobile source air toxics (MSATs), such as benzene, ethylbenzene, 1,3-butadiene, formaldehyde, acetaldehyde, acrolein, naphthalene, polyaromatic hydrocarbons, etc.
2) A Community Air Monitoring Study designed to accurately measure criteria and toxic pollutants, combined with a thorough and honest traffic study/analysis is mandatory to evaluate the ambient impact on receptors in the Project area and must be included in any further design. Similar studies have been conducted for our local communities including the Tonawanda Community Air Quality Study, the Peace Bridge Air Study, and the ongoing air study near PVS Chemical Solutions.
3) NYSDOT failed to evaluate emissions (NOx, CO, PM, PM-10, PM-2.5, VOCs, black carbon (from diesel), mobile source air toxics, etc.) generated during the 4-5 years of proposed construction. NYSDOT's air quality analysis starts in 2027 after the construction period ends. MOVES3 can simulate the emissions from non-road (construction equipment) emission sources. NYSDOT must evaluate the total ambient

impact from combined on-road (vehicles) and non-road sources for each pollutant during the construction period prior to 2027. The only emissions NYSDOT evaluated to some degree, are greenhouse gases (GHGs) listed in Table 4.10-6 on Page 275 of the DDR/EA. This must be corrected, and truthful total ambient impacts presented to the community.

4) NYSDOT intentionally excluded input data, output data, assumptions made, and other important information that was used in their inferior air quality analysis to prevent our community from fully assessing their results. This leads me to believe their approach was consistent with garbage in garbage out (GIGO), which allowed them to reverse engineer the results to suit their need to minimize the ambient impact of pollutants on my community, a disadvantaged community under NYS CLCPA and an Environmental Justice Area.

Environmental Justice

Environmental justice (EJ) efforts focus on improving the environment in communities, specifically minority and low-income communities, and addressing disproportionate adverse environmental impacts that may exist in those communities. It is well documented that people who live, work, or attend school near major roadways have an increased incidence of severe health problems associated with exposure to air pollution caused by traffic. The residents in my community, located in the Project Area, are continuously exposed to traffic-related air pollutants and toxins through inhalation, ingestion, and dermal absorption. These routes of exposure lead to numerous diseases, including higher rates of asthma and other respiratory diseases such as COPD, cardiovascular disease, cancers, such as leukemia, and lung cancer, premature and low-weight births, and other reproductive disorders, compromised immune systems, developmental and neurological disorders, and premature death. The traffic-related air pollutants and toxins are in our garden soil and are absorbed by the vegetables we grow and ingest and enter our homes through our doors and windows. This has been happening in my community every day for decades. People are suffering.

NYSDOT's Build Alternative includes the construction and use of a tunnel in an EJ area within 40 feet of the front door of our homes. The environmental impacts of blasting bedrock, potential exposure to toxic gases and radon, potential exposure to asbestos during demolition of retaining walls and bridges, exposure to MSATs, particulates (PM, PM-10, and PM-2.5), and other air pollution from equipment and activities for 4-5 years or more of construction, continuous noise pollution, and other deleterious effects of this Build alternative are unacceptable. Once the tunnel is constructed, we will be subjected to the same traumatic experiences and deleterious effects as the Kensington Expressway trench. The only way to stop this egregious assault on our community is to remove the Kensington Expressway and restore the Olmsted Parkway that was destroyed when this monstrosity was constructed.

EO 12898 Title VI of the Civil Rights Act of 1964

Per federal guidance, environmental justice is the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, income, or national origin with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Ensure opportunities for minority and low-income communities to influence the transportation planning and decision-making processes through enhanced engagement and meaningful input. As a recipient of federal transportation funds, the NYSDOT must promulgate Title VI of the Civil Rights Act of 1964, as amended, in all of its business operations and practices. NYSDOT's Build Alternative and its heavy-handed approach to this transportation project violates Title VI of the Civil Rights Act of 1964, as amended.

NYS Climate Leadership and Community Protection Act (CLCPA)

The proposed Build Alternative is not consistent with the NYS Climate Leadership Community Protection Act (CLCPA). In accordance with NYS CLCPA, ensuring equity and inclusion in our climate actions means New York will ensure that all communities, but especially populations within disadvantaged communities, will benefit from the State's investments and opportunities, including reducing pollution and creating new jobs and economic opportunities The Project Area is a CLCPA disadvantaged community (DAC), on the frontline of climate change. The proposed Build Alternative which includes the construction of a tunnel through this CLCPA DAC will have a devasting effect on the residents and their homes. It will not result in meaningful changes that will benefit our climate and our economy.

1. Air pollution will not be reduced. NYSDOT's subpar air quality analysis shows significant increases in the ambient concentration of CO and PM 2.5 at the tunnel portals ranging from 25% to 138%, directly affecting the health and welfare of school children, employees at the Buffalo Science Museum, residents, and others.
2. The Build Alternative requires increased power demand for tunnel operations and will include the construction of two underground electrical substations. The tunnel will greatly increase energy use, which contradicts NYS CLCPA requirements and goals.
3. The planting of stunted-growth trees and shrubs in 3 feet of soil on the cap of a tunnel cannot provide the climate resilience required for intense storms brought by climate change. Removal of the Kensington Expressway and restoration of the Olmsted Parkway from Delaware Park to MLK Park and down to Goodell and Oak Streets will provide approximately 42 acres of parkland with trees planted in actual overburden containing a steady supply of groundwater allowing them to survive and grow to maturity. This is the type of action required if we plan to survive the devasting effects of climate change. The climate change-related blizzard of 2022 predominantly affected residents in disadvantaged communities, causing numerous unnecessary deaths and hardship. We need to act now to prevent similar climate events by planting trees that will act as a carbon sink for greenhouse gases sequestering carbon in the soil, grass, trees, and other vegetation.
4. NYSDOT's preferred Build alternative does not create jobs or economic opportunities. The community will remain disconnected from Best to Sydney streets, With access to and from Rt 33 eliminated within the project area, the community that will host the construction and operation of the tunnel, and endure the devastating effects, will be walled off from the expressway. This is not conducive to job creation or economic

growth. Lack of access to the project area due to the presence of the tunnel will prevent businesses from opening and subsequent job creation in the project area. Our homes will be devalued by the aftereffects of this project. The proximity of the tunnel to our homes, which will be even closer than the current Rt 33 trench, and the structural damage caused by constant vibrations from blasting bedrock, continuous pounding/hammering, the use of heavy equipment during construction, the potential stigma of radon gas in our homes, and other detrimental impacts will make homes in the project area less desirable, ensuring the continuation of redlining practices.

Vehicular Traffic

NYSDOT has stated, "Diverting traffic onto radial streets would result in higher crash rates on local streets with intersections compared to retaining the expressway". However, Route 33 is the most lethal roadway in the area and accidents, caused by the existence of Route 33, occur regularly at the intersections of Humboldt/East Ferry and Humboldt/Utica Streets. NYSDOT's existing highway system currently directs vehicles along one roadway, Rt 33, which results in congestion with usually no way to avoid it. This concept is outdated and dysfunctional. The removal of Rt 33 and Rt 198 will reconnect the City of Buffalo through the well-designed radials and cross streets. NYSDOT transportation engineers and technicians, with their consultants, have the skills to develop a viable transportation plan to divert traffic equitably throughout the City of Buffalo and to minimize accidents and congestion. Other areas of Buffalo, like Elmwood Village, one of the safest places to live, experience traffic at certain times each day with very few accidents or congestion. Bidwell, Chapin, and Lincoln Parkways help in this process and provide mature trees that alleviate the level of pollution caused by traffic. Air pollution generated by stop-and-go traffic will be dispersed throughout Buffalo as traffic patterns change with the removal of Route 33 and as NYSDOT pointed out, an increase in electric vehicles required under the CLCPA will result in a reduction in air pollution. The residents in the project area should not have to bear the excessive burden of construction, with potential damage to our homes, and our health, so that people traveling from the north and east of Buffalo can get to their destination faster through a tunnel designed to minimize their exposure to our neighborhood. Emergency vehicles will revise their travel routes once the Rt 33 is removed, like their practices in other parts of Buffalo and the surrounding communities. Radials can be updated as smart streets with pervious pavement, synchronized traffic signals, traffic calming, and other measures to bring these streets into the 21st century. Transportation planning must prioritize improved and expanded bus and rail transit to reduce vehicular traffic and associated greenhouse gases and air pollution.

Additional Environmental Impacts

Radon Gas

NYSDOT has not evaluated the effect of blasting bedrock for the formation of the tunnel regarding the release of radon and other toxic gases. Blasting can cause fissures in the remaining bedrock creating a pathway for radon gas. Based on the permeability of the overburden, the

radon gas can travel into our homes through the cracks in the foundations, some of which will be caused by NYSDOT blasting. This naturally occurring radioactive gas cannot be detected in our homes without monitoring equipment and will increase our risk of radon-induced lung cancer over time. NYSDOT must conduct an Environmental Impact Statement to evaluate the potential for exposure to Radon Gas released from bedrock they fracture. Radon testing must be conducted pre-construction and post-construction. Remediation must be included in the design to address potential increases in radon gas in project area residences, with costs covered by NYS. This would be another environmental injustice placed on our disadvantaged community if the NYSDOT proposed Build Alternative for the Kensington Expressway is implemented.

Other Radioactive Material

NYSDOT "brushed off" the potential for encountering radioactive material during construction activities and does not include a mitigation plan in the DDR/EA, even though records show that a slag subbase material was utilized during construction of Rt 33 and was listed as an "optional type" on the record drawings. However, during the time of construction, it was common practice to use radioactive slag in roadways, as evidenced by the ongoing problem in Niagara Falls, NY. Potential exposure of residents in the project area to radioactive material in slag in the Rt 33 roadway must be evaluated and included in the DDR/EA.

Asbestos

The Build alternative proposed by NYSDOT and FHWA requires the removal of approximately 250,000 square feet of existing concrete retaining walls and bridges. This material contains asbestos, which causes the deadly mesothelioma. NYSDOT indicated the asbestos-containing material (ACM) was originally classified as nonfriable. However, considering the age and deterioration of retaining walls and bridges, it is likely the ACM has become friable. The removal of this ACM will be accomplished using jackhammers, concrete saws, and other methods that will release asbestos fibers into the ambient air in the project area and will be present in and around our homes. NYSDOT and HHWA have stated that they will minimize exposure, but this will not eliminate exposure adding an additional unwanted dangerous burden on our community.

Blasting

The Build Alternative requires blasting of 5-20 feet of bedrock to accommodate the tunnel walls, cover, and underground mechanical rooms and utilities. Ground vibrations, measured as Peak Particle Velocity (PPV), are commonly viewed as the major concern for off-site damage resulting from blasting. An acceptable distance to the point of concern is 500 meters (1640 feet). Blasting will occur 40 to 100 feet from homes likely resulting in structural damage to our fragile 120-year-old homes, including cracked foundations, walls, ceilings, roofs, and chimneys, damaged sewer, water, and gas lines. The people in the project area must not be burdened with NYSDOT's devastating and reckless Build Alternative. It is unacceptable. Abandoning the Kensington Expressway and restoring the Olmsted Parkway will not cause extensive damage to our homes.

Procedures for Implementation of State Environmental Quality Review Act (SEQRA)

17 NYCRR 15 (NYSDOT), Section 15.11(a)(5), (6), and (7)
6 NYCRR 617 (NYSDEC), Section 617.7(c)(1)(v), (vi), and (vii)

In accordance with Sections 15.11(a)(5), (6) and (7) and 617.7(c)(1)(v), (vi), and (vii) an action may have a significant effect on the environment when the action can reasonably be expected to have one or more of the following effects:

- the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.
- a major change in the use of either the quantity or type of energy.
- the creation of a hazard to human health.

The NYSDOT Build Alternative requires blasting of 5-20 feet of bedrock to accommodate the tunnel walls, cover, and underground mechanical rooms and utilities. Ground vibrations, measured as Peak Particle Velocity (PPV), are commonly viewed as the major concern for off-site damage resulting from blasting. An acceptable distance to the point of concern is 500 meters (1640 feet). Historic structures in the project area including St Frances de Salles Church, Faith Missionary Church, historic homes, the Museum of Science and its historic artifacts, and other historical and architectural resources in the project area are located less than 100 feet from blasting activities. This action can reasonably be expected to cause structural and other damage that will impair the character or quality of these important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character.

The NYSDOT Build Alternative requires the installation of two underground substations to provide power for tunnel operations. This will result in a major change in the use of the quantity of energy compared to existing Rt 33 electrical requirements.

The NYSDOT Build Alternative requires removal of asbestos-containing material some of which may be released to the ambient air creating a hazard to human health.

The NYSDOT Build Alternative requires the blasting of 5-20 feet of bedrock to accommodate the tunnel walls, cover, and underground mechanical rooms and utilities. Blasting can cause fissures in the remaining bedrock creating a pathway for radon gas. Based on the permeability of the overburden, radon gas can travel into residential homes and buildings through cracks and holes in the foundations. This naturally occurring radioactive gas cannot be detected without monitoring equipment and will increase the risk of radon-induced lung cancer over time creating a hazard to human health.

The NYSDOT Build Alternative requires the blasting of 5-20 feet of bedrock to accommodate the tunnel walls, cover, and underground mechanical rooms and utilities, and various high-decibel construction activities over a period of 4-5 years with the potential to affect the hearing of residents living close to these activities, creating a hazard to human health.

Smart Growth Requirements under New York State Smart Growth Public Infrastructure Policy Act (SGPIPA)

The Build Alternative proposed in NYSDOT Kensington Expressway Project PIN 5512.52 (Project) fails to meet the relevant smart growth criteria set forth in ECL § 6-0107. IT DOES NOT:

- protect, preserve, and enhance the state's resources in the Project Area, including the air quality, surface water, and significant historic resources.
    1) Based on NYSDOT's simulated emissions, the Project will increase 1-hr and 8-hour carbon monoxide (CO) emissions by 138% and 117%, respectively, and the 24-hr and annual PM 2.5 emissions by 25% and 40 %, respectively at the tunnel portals, which are located proximate to several schools, churches, and hundreds of residents.
    2) NYSDOT failed to evaluate the potential risk of exposure to radon gas. Blasting bedrock for removal to accommodate the tunnel may cause fissures in the remaining bedrock near our homes, generating pathways for radon gas in bedrock to enter the overburden. Radon can enter homes through cracks in the foundation, some of which will be caused by blasting within 50 feet of our homes. Radon, a naturally occurring radioactive gas, cannot be detected in our homes without monitoring equipment and will increase our risk of radon-induced lung cancer over time.
    3) NYSDOT labels the Scajaquada Creek as the Scajaquada "Drain" and will use this to discharge stormwater runoff from NYS Route 33. The Buffalo Niagara Water Keeper recently received funding from NOAA for a community-driven watershed-wide Scajaquada Creek Restoration Plan. Using Scajaquada Creek to dispose of contaminated water from the NY Rt 33 Kensington Expressway may negatively impact restoration efforts upstream and downstream of the Project Area.
    4) The Project fails to acknowledge numerous historic resources, including St Francis De Salle Church, the Jewish Temple, and numerous historic homes along Humboldt Parkway. NYSDOT proposes to blast bedrock from 5-20 feet below the current elevation of the Kensington Expressway and Humboldt Parkway to accommodate the tunnel walls, cap, and utilities. These historic structures are old, some over 120 years, and cannot withstand continuous vibrations caused by the removal of bedrock and the pounding and hammering that will occur during the 4-6 years of construction.
- provide mobility through transportation choices including improved public transportation and reduced automobile dependency. The Build Alternative offers no improvements to public transportation, such as a light rail system, and promotes the use of vehicles at the expense of the health and welfare of the community.
- participate in community-based planning and collaboration. NYSDOT failed to notify and engage the residents in the Project Area, especially on Humboldt Parkway, sufficiently and timely, has not included residents in project planning, and has refused to

collaborate with our community. The "stakeholders" NYSDOT engaged with to meet the minimum requirements are few and don't represent the community on the frontline of the proposed Build Alternative. Some of NYSDOT's "selected stakeholders" represent at least two community groups at the same time. For example, one person who lives approximately 3000 feet from the Humboldt Parkway blast and construction zone is a member of Restore Our Community Coalition (ROCC) and Hamlin Park Community and Taxpayers Association. Two people are members of ROCC and the Black Chamber of Commerce and they live 1500 feet and 3950 feet from the Humboldt Parkway blast and construction zone. These people support the NYSDOT Build Alternative. However, they will not have to endure the assault on health and welfare from air pollution and noise, damage to their homes, and other problems during the 4-5 years of construction, and increased traffic and air pollution due to the closure of the on/off ramps at Utica Street. Most stakeholders living on or in the vicinity of the frontline do not support the proposed NYSDOT Build Alternative. Instead, we demand the removal of NY Route 33 and the re-establishment of the former Parkway setting between Delaware and MLK Parks, with the parkway extended to Goodell and Oak Streets. NYSDOT rejects this because it does not meet their project objective and associated screening criterion related to maintaining the vehicular capacity of the existing transportation corridor, which is antithetical to the requirements of Smart Growth requirements. NYSDOT has refused to engage with us as stakeholders or consider our preferred Build Alternative. The well-designed radials and major cross streets in the City of Buffalo are more than capable of handling the redistribution of expressway traffic and the associated noise and air pollution. NYSDOT has not evaluated traffic redistribution for this alternative.

- promote sustainability by strengthening existing and creating new communities that reduce greenhouse gas emissions and do not compromise the needs of future generations, by among other means encouraging broad-based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain and implement. NYSDOT's Build Alternative does not reduce greenhouse gases. There is no difference between the GHG emissions for the No Build and Build Alternatives. NYSDOT has not encouraged broad-based public involvement and has limited public involvement to a few stakeholders chosen by them (see previous bullet) to do NYSDOT's bidding. The removal of NYS Route 33 and the re-establishment of the former Parkway setting between Delaware and MLK Parks to the end of the Kensington Expressway at Goodell and Oak Streets would generate at least 42 acres of green space with mature trees that act as carbon sinks to increase the storage of carbon and resilience to climate change/events.

NYSDOT did not sign the Smart Growth Impact Statement attesting project compliance with the New York State Smart Growth Public Infrastructure Policy Act, and that it meets the Smart Growth criteria. Therefore, the requirements of SGPIPA have not been met.

For decades, the residents of the project area have suffered an immense burden caused by Route 33 Kensington Expressway including, but not limited to, acute and chronic exposure to toxic air pollutants, noise pollution well above acceptable levels caused by motorcycles, drag races, low-flying helicopters, overnight construction operations, etc., horrific, deadly accidents, redlining

resulting in grossly undervalued homes, high insurance rates, and little to no access to healthy food and other necessary items. The Build alternative does not alleviate these problems and cements them in place for decades to come with no ability for improvement.

Most of the residents in the project area who have spoken out, including me, do NOT want NYS DOT's Build alternative. Many of us prefer the abandonment of the Kensington Expressway and restoration of Olmsted's Parkway system between Delaware and MLK Parks, with a possible extension of the parkway from Best Street to Oak Street to allow for the development of the area, including housing and shopping in the Fruit Belt/Medical Corridor.

Lately, NYSDOT representatives and Assemblywoman Crystal People Stokes have threatened to take funding away from this project if residents do not accept NYSDOT's preferred Build Alternative. This 'You'll take this and like it, or get nothing" bullying attitude, disregarding our legitimate concerns, is extremely disrespectful to our community and is clearly a scare tactic. The reality is NY Rt 33 is many years past its life expectancy and is in a state of gross disrepair. The NYSDOT must do something. We demand that NYSDOT abandon its 1950s auto-centric approach to one that considers people over vehicles and honestly complies with NYS climate change and environmental justice regulations and goals. Olmsted's world-renowned Buffalo Parkway system, destroyed more than half a century ago by this expressway, must be restored. If NYSDOT cannot advance to the 21st century, including honest engagement with the community and consideration of their needs and comments, then it must be replaced with an organization such as the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) to plan and design the Kensington Expressway Project.

Thank you for your consideration of my comments.

Sincerely,

Marcia E Ladiana

Marcia E. Ladiana

From:	Stephanie Ladiana
To:	dot.sm.kensingtonexpressway
Cc:	
Subject:	NYS Route 33, Kensington Expressway Project - COMMENT SUBMITTED 11.10.2023
Date:	Friday, November 10, 2023 4:45:05 PM
Attachments:	Letter to NYSDOT RE Kensington Expressway Project 11.10.2023.pdf

Dear Mr.Vaidya and Mr. Seymour -

KIndly accept the attached letter as my comments on the above referenced project. I understand the project will use federal funds, and as a US taxpayer, I submit the attached comments for your consideration on this project..

Please do not hesitate to contact me if you have any questions or concerns.

Kind regards,

Stephanie Ladiana

Stephanie Ladiana

11/10/2023

Ms. Sanjyot Vaidya
Project Manager
New York State Department of Transportation, Region 5
100 Seneca Street Buffalo, NY 14203

Mr. Matthew Seymour
Senior Area Engineer Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Subject: PIN: 5512.52
NYSDOT Draft Design Report/Environmental Assessment (DDR/EA)
NYS Route 33, Kensington Expressway Project

Dear Mr.Vaidya and Mr. Seymour;

As a former resident of NY state whose mother transplanted from NYC to Buffalo in the late 1980's - **specifically to Humboldt Pkwy** - and since my federal dollars are being used on the above referenced project, I feel it is my duty to express my concerns over this project and to honor my 95-year-old mother, who passed away, less than one week ago.

I have read much about the NYSDOT's prosed project, reviewed the plan & watched the videos, and reviewed a multitude of other sources – many proposing complete restorations of the parkway system in Buffalo that were destroyed in the 1950's-1970's when vehicular traffic was once again the major concern of the entities proposing the Kensington Expressway at that time. Ironically, Buffalo's current population is half of what it was in the 1950's -1970's which likely indicates less vehicular traffic today than when the Kensington Parkway was built. I've also spent several hours reviewing the process and proposed plans for a nearby project being led by the Greater Buffalo Niagara Regional Transportation Council (GBNRTC), in Region Central, the Scajaquada Corridor. which currently connects the "198" (part of the GBNRTC project) and the "33" (part of the NYSDOT project). The GBNRTC project stops right where the "198" meets the "33", yet **the area designated as Region Central runs as far south as E Ferry St, encompassing the coss street location that NYSDOT proposes the tunnel entrance at Northland Ave. (Maps ATTACHED)**

While some of the images, slides and videos provided for the NYSDOT's proposal look beautiful and include restorations of green spaces, pedestrian traffic and bike paths, **it was truly disappointing to read that the NYSDOT's project goal was to "maintain the vehicular capacity of the existing transportation corridor"**! I was further appalled to learn that a "Concept 10" (which included much of what Buffalo's local park, conservancy and community organizations called for - the complete restoration of Humboldt Parkway) was "dismissed" by NYSDOT because it "**would not meet the project objective and associated screening criterion related to <u>maintaining the vehicular capacity</u> of the existing transportation corridor."**

We are living in unprecedented times, given the effects of climate on our cities, and it is inconceivable that this state agency was not more forward thinking on a project of this size and cost ($1 billion), especially given that Buffalo is New York's 2nd largest city. Access to public transportation which is cleaner and greener than most cars in use today, less cars on the road post pandemic as more and more companies offer hybrid work schedules that allow employees to work from home. This in turn allows these same employees/residents to spend more time with their families, thereby

utilizing the trails, bike paths and parks of Buffalo's fabulous park system in addition to boosts to economic development in an area that has long been disenfranchised and forgotten - starting with the construction of the Kensington Parkway in the 1950's.

This brings me to the issue of righting thats wrong. The people of this community have expressed concern over the health effects of the fumes that will be "blown" out of the tunnel by a jet fan not to mention the potential damaging effects on their homes due to blasting for the construction of the tunnel. With older siblings, and young nieces and nephews living on Humboldt Pkwy I stand in full support of their concerns for their health and wellbeing as a result of what seems to be a short-sighted project. Toxic tunnel fumes and blasting at close proximity to their homes will yet again disenfranchise residents of Humboldt Pkwy and the East Side.

Then there is the cost of this project. One Billion dollars is A LOT of money! I understand that filling the Kensington in and restoring it to its pre-1950's grandeur, could **potentially cost 14 time LESS that building a tunnel?** Why on earth would the state of NY choose this more expensive, more dangerous, and more unhealthy option? The only answer I can come up with is that the pockets of the contractors that will be hired to fulfill the project will have one billion dollars more in them!

At this time I respectfully request that the NYS DOT pause this project for the following:

[1] an Environmental Impact Statement for NYS Route 33, Kensington Expressway Project (PIN: 5512.52) must be conducted, including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has decreased post-pandemic.

[2] a Cultural Landscape Report (CLR) must be undertaken.

[3] full design options be prepared with community participation, including the rehabilitation of Humboldt Parkway.

[4] consideration given to replacing NYSDOT on this project with the Greater Buffalo Niagara Regional Transportation Council.

The first three (3) above requests are consistent with those of The Cultural Landscape Foundation (TCLF) whose mission it is to connect people to places....not vehicles to places!
In addition, Buffalo's community organizations must be heard and respected. This includes East Side Parkways Coalition, Buffalo Olmsted Parks Conservancy, Citizens for Regional Transit, Preservation Buffalo Niagara, Clean Air Coalition, and GObike Buffalo.

I believe if all the above is considered, the only alternative is restoration of Olmsted's Humboldt Parkway in its entirety. This resolves all the issues at hand – cost, design, righting wrongs- not only for a disenfranchised community but form that of an ecological standpoint as well, and lastly the health and wellbeing of the immediate community impacted for generations to come.

Thank you for your consideration.

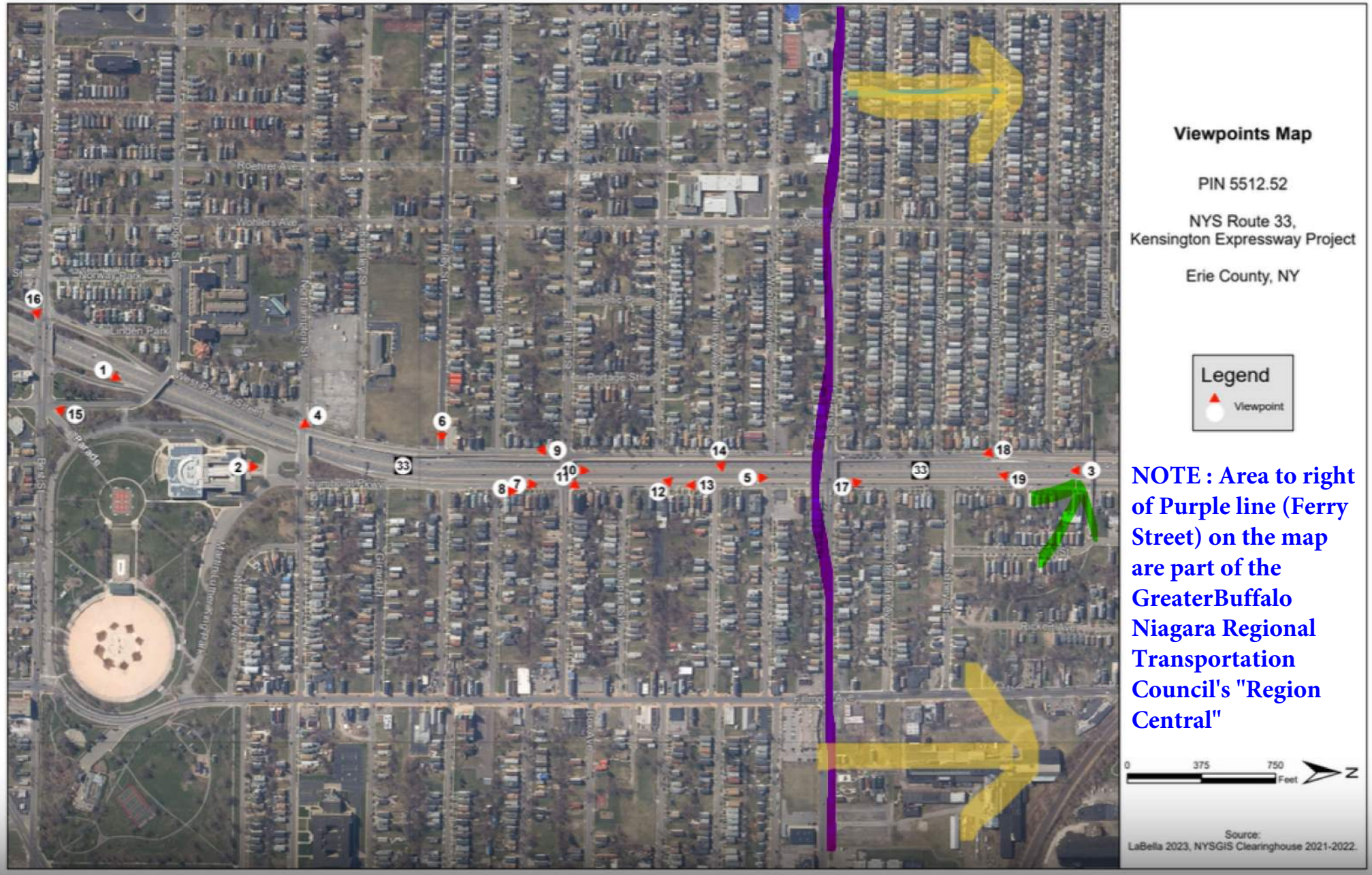
Respectfully,

Stephanie Ladiana

ATTACHMENTS
CC: Honorable Pete Buttigieg, U.S. Secretary of Transportation
Jessica Prockup Environmental Specialist 3, New York State Department of Transportation

Visualizations Viewpoints Map

Picture in picture



NEW YORK STATE OF OPPORTUNITY | Department of Transportation

The Region Central community



From: Steve Lane
Sent: Wednesday, September 27, 2023 3:46:25 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lane, Stephen
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: St. Philip's Episcopal Church

Comment: Putting a cover over Rt 33 will cement this mistake into place for generations.
The damage that this road caused is a lot more than just to the immediate neighborhood.
The whole East Side was impacted when all the traffic was taken off the streets an onto this highway.
If the roadway was restored at normal elevation with a slower traffic pattern, and the alternative arteries are restored, then more traffic will flow on those arteries. this would reconnect the East side to the rest of the city.

Please don't cement the mistake that was made by covering Rt. 33

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From: Steve Lane
Sent: Wednesday, October 25, 2023 9:51 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lane, Stephen
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: St. Philip's Episcopal Church
Comment: Please rethink this project. Repair of the existing radial streets and restoring the parkway would be more beneficial to the East Side. Further entrenching the highway would benefit the suburban commuters, but further cement the racial divide that was created in the East side.

Pastor Steve

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Steve Lane
Date: Wednesday, October 25, 2023 9:27:50 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Steve Lane

Email

Date

10/25/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

© East Side Parkways Coalition.

From: Savanah Smiles
Sent: Friday, November 10, 2023 8:00:22 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lea, Teena
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Resident of buffalo
Comment: This money should be used to build more housing, grocery stores,cleanup plant trees, programs with grants for direct job placement ,programs for buying new hones. We should not be blackmailed by the governor or state to " take it or leave it" , its our tax money its our life and we know best what is needed. We should not be used to get grants and funds just to take them away when " big players are in talks with reshaping our communities and the money doesn't wind up in there pockets. None which live in the actual community this is supposed to help. This does not give job offers to the people in that community either. Unless there is proper training and the people of that community can benefit from these jobs. No expressway cover! That money should be spent on fixing the pipes and the communities.

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Teeny

-----Original Message-----
From: Mark Lefler
Sent: Tuesday, November 7, 2023 9:43 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lefler, Mark
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: This project should not move forward in its current form. It does nothing to connect the original Olmsted park system together and instead will keep it separate for another 60 years. Unless there is a way to tunnel past the underground Scajaquada creek, which does not seem to be the case, this is a Billion dollar lawn that will never do anything to connect the east side with the rest of the city. The DOT should at least present a plan that shows what a full removal of the highway would look like for the community. It is being done in Syracuse and Rochester, why not Buffalo?

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From: Jeremy LeGasse
Sent: Wednesday, November 8, 2023 11:59:22 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: LeGasse, Jeremy
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This project will likely result in nothing being done and was launched as a feel good campaign point. Just more empty words

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Jeremy LeGasse
Quality Assurance Manager

VIANT. We're in it for life.

Jeremy.LeGasse@viantmedical.com
o: +1-716-515-6679 x9579 | **c:** +1-716-946-9685
3902 California Road, Orchard Park, New York, 14127
www.viantmedical.com

From: James Lenker
Sent: Friday, November 10, 2023 11:58:11 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lenker, James
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: The Kensington Expressway Project being presented by NYS DOT is an ultimatum, not a proposal. You are presenting us with only 1 path forward and do not even bother presenting a comparison option. Rochester is taking out its Inner Loop, Syracuse is moving toward removal of the I-81 segment that divides its city, and Albany is announcing a new Bus Rapid Transit line — yet somehow these options are unsuitable for Buffalo's Rt. 33? At a time of climate crisis (Buffalonians were forced to spend almost 2 weeks indoors this past June because of the climate-induced Canadian wildfires), DOT is prioritizing the pre-eminence of personal vehicular travel without even a discussion of potential public transit options?? No comparisons of this ultimatum with an at-grade, reduced-speed parkway into the city? If this billion dollar "proposal" is really the best and most creative option, then we clearly need better and more creative people involved with the decision making, from the Governor on down.

Sincerely,

James Lenker
Buffalo

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Sent from my iPad
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Dan Leonard
Sent: Friday, October 27, 2023 6:00:23 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Leonard, Daniel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: City Resident

Comment: We need a similar process to 198. This should not be primarily about maintaining existing traffic - it should start with how we can best serve the neighborhood around the 33 and the city as a whole. Covid has completely changed the possibilities with commuting - allowing more flexibility and alternatives to the archaic and damaging rush hour commute. It would be GREAT if our radial streets were congested - the highways destroyed them in the first place!

I do not support a cap, but I do support major investment to change the 33. The most viable option is removal and restoration/expansion of Humboldt Parkway.

Do not make the monumental mistake of investing ~$1B to preserve a piece of infrastructure that most successful cities are finding ways to move on from.

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--
Daniel J. Leonard, AICP

From: Greg Leonard
Sent: Friday, October 27, 2023 10:51 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Leonard, Gregory
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: City Resident
Comment: Problem: New York State does not have the credibility with the public on these local projects. From exploding rocks (erie canal harbor), to the 198 process that steamrolled over public sentiment, to the giant vents that suddenly have disappeared from the rendering for this project, the perception is the state is not honest and trustworthy. The feeling it is that it is rigidly layered with bureaucrats who can not make any decisions themselves or help push the conversation forward.

I support full removal of the highway and restoration of the Olmsted network of parks and parkways. Post covid, we are in a different era and now is the time to think differently about infrastructure and the city. The state and others conceive of projects with a defensive posture and in fear. Time to move beyond that mindset.

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From:
Sent: Monday, November 6, 2023 5:12:32 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lester, Thomas
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Neighbor to the Kensington
Comment: As much as I would love to see some sort of progress begin on this project, I cannot endorse the current DOT plan at this time. For decades members of this community set out to restore what was not only a thriving community, but also an integral part of a historic park system. Most importantly I'm concerned with the potential health issues that may arise, as my home sits at one end of this tunnel design. I really feel this project needs to be looked at from a new angle as this is not just about moving cars, but restoring a long festering injustice. I just don't feel that the current situation will lead to a successful outcome. There have been successful redesigns done in both Rochester and Syracuse, yet despite community efforts for years we can't seem to restore a an important part of upstate NY history.

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From: Libutti, Joseph
Sent: Friday, November 10, 2023 3:34:44 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: LiButti, Joe
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I'm fully against this project as proposed. The only change I want to see to the 198 is to downgrade it to a parkway and complete Olmstead's original vision connecting MLK and Delaware parks and allowing for better pedestrian and bike travel and less disruption in the park system.

Spending 1.1 billion dollars with little to no economic or environmental impact to our community, to say nothing of the millions in annual maintenance costs we'll have to shoulder for this tunnel, is just outrageous. That money could be spent in far better ways to tangibly improve our community, and going forward on this without even so much as an Environmental Impact Study is wholly unconscionable.

In reality this project was doomed from the start when full removal of the expressway that's ludicrously bisected an Olmstead park was taken off the table. The Olmstead park system has always been badly abused and mismanaged in this city, I implore you to throw this plan out and go back to the drawing board.

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From: John Lillig
Subject: Buffalo Olmsted Park System
Date: Friday, November 10, 2023 2:07:34 AM

To:

Mr. Sanjyot Vaidya
Project Manager
New York State Department of Transportation, Region 5
100 Seneca Street
Buffalo, N.Y. 14203

Mr. Matthew Seymour
Senior Area Engineer
Federal Highway Administration Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719 Albany, N.Y. 12207

cc: Honorable Pete Buttigieg, U.S. Secretary of Transportation
New York State Senator Tim Kennedy
Assembly member Crystal Peoples-Stokes

Dear Mr. Vaidya and Mr. Seymour:

I visited Buffalo for the first time last year and was enthralled with the city and especially with the system of Olmsted boulevards and parks that run throughout the city. I am from Chicago and am familiar with Frederick Law Olmsted's South Park system here. However, Buffalo's system impressed me as more fully realized and more representative of Olmsted's vision inasmuch as Buffalo's size and configuration allow the boulevards to carry less traffic and have fewer stoplights and other intrusions. The result is a system that is pedestrian and bicycle-friendly and whose vistas are more open to appreciation by citizens and tourists alike, without the intrusion of excessive congestion that would deter visits to and use of the boulevards.

Therefore I was concerned when I read that the NYSDoT was contemplating capping the expressways on the east side of Buffalo rather than restoring them to Olmsted's design. Before any such cap plan can proceed, I strongly encourage you seek the preparation of an Environmental Impact Statement for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52), including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has

decreased post-pandemic. Furthermore, consistent with federal guidelines, I strongly encourage you to prepare a Cultural Landscape Report (CLR) for all cultural assets related to and adjacent to or near the Project. Finally, I strongly encourage you to explore and prepare all design options, with community participation, including the full rehabilitation of, rather than a cap over, Humboldt Parkway.

Sincerely,

John C. Lillig

From: Catherine Carr Lincoln
Sent: Thursday, October 26, 2023 9:18 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lincoln, Catherine
Address: , ,
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalo resident and member of the East Side Garden Walk committee
Comment: The DOT is not doing what ROCC fought so hard for. The DOT let the 33 deteriorate “20 years beyond expected service life” (page 22 of their draft EA) so they are pushing this through and attempting to skip an Environmental Impact Statement. What they are proposing will blow greater amounts of unfiltered, concentrated exhaust plumes across neighborhoods at the tunnel ends AND will cement-in-place that MLK and Delaware Parks will not be connected by a parkway. (There can not be a Phase 2 because the buried Scajaquada Creek prohibits the tunnel continuing north.) The neighborhood does not want this; they deserve the full restoration of the parkway and less pollution near their homes!

I INSIST that you do an Environmental Impact Statement.

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From: joel lippes
Sent: Friday, October 20, 2023 1:10:34 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lippes, Joel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Friend of Olmsted Parks and local Citizen.
Comment: Dear DOT,
Has the option of a “true” Humboldt Parkway restoration been explored? “True” means filling in the recessed expressway, NOT covering it.
If this option has been explored, why was it rejected? I’d like to know.
Below is my opinion of the advantages of filling in the expressway:
1. Far less expensive
2. Much quicker
3. Large trees will definitely do well.
4. Will result in the use of other underutilized routes (e.g. Genesee St., William St, Clinton St., Main St, etc) to access the suburbs.
5. Will promote urban living
6. Will promote public transportation (specifically Metro).
7. Will require virtually no annual maintenance versus a tunnel, which requires a lot of maintenance and depreciates.
8. Potentially four lanes (two inbound and two outbond) of surface parkway traffic will be restored to Olmsted’s vision.
I appreciate your future response.
Yours truly
Joel Lippes.

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From: joel
To: dot.sm.kensingtonexpressway
Subject: Fwd: PIN 5512.52 Kensington Expressway Project Comment Form
Date: Thursday, October 26, 2023 12:20:00 PM

Sent from Joel

---------- Forwarded message ---------
From: **joel lippes**
Date: Fri, Oct 20, 2023 at 1:42 PM
Subject: PIN 5512.52 Kensington Expressway Project Comment Form
To:

Name: Lippes, Joel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Friend of Olmsted Parks and local Citizen.

Comment: Dear DOT,
Has the option of a "true" Humboldt Parkway restoration been explored?
By "true" I refer to filling in the recessed expressway, NOT covering it.
If this option has been explored, why was it rejected?
Below is my opinion of some advantages of filling in the expressway:

1. Far less expensive

2. Much quicker

3. Large trees will definitely do better than if there was only 3 feet of soil above a tunnel.

4. Will increase use of alternative, underutilized routes (e.g. Genesee St., William St, Clinton St., Main St, etc) which may in turn stimulate commercial development along those routes.

5. Will promote urban versus suburban living, certainly a goal of the city.

6. Will promote public transportation (bus and Metro) and car pooling,, both environmentally superior to single car use.

7. Will require virtually no annual maintenance versus a tunnel, which requires a lot of maintenance and the tunnel will depreciate/deteriorate.

8. Will result in four lanes (two inbound and two outbound) of surface roads alongside the parkway, consistent with Olmsted's original vision.

9. Reflects the decline in commuting for work as technology allows work from home.
(In other words, expressways are less needed).

Once again, has filling in, versus covering, the expressway been considered? And, if so, why was it rejected?
I appreciate your future response.

Yours truly
Joel Lippes.

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Sent from my iPhone

From: Nathan Lis
Sent: Wednesday, October 25, 2023 3:44:54 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lis , Nathan
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Resident
Comment: The 33 is a route that I would gladly give up as a resident, and as a commuter. The $1Bn needs to be spent on local companies that will remove the 33 and FULLY RESTORE the lost park and parkway, and join together a city that was so wrongfully separated.

We as a city should invest in smarter traffic infrastructure, such a traffic circles that do not have traffic signals, timed lights on critical city veins, and even a rail system that makes sense.

If the 33 is covered, and this construction is allowed to move forward, this will certainly devastate East Buffalo further and even more permanently.

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From: Jean Loughran
Sent: Tuesday, October 31, 2023 9:16:00 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: loughran, jean
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Please remove the 33 and fix up the roads and parkways as they were originally designed for Buffalo. I live in Cheektowaga and use this route often. It's time to treat the east side as an equal part of Buffalo. We are wasting valuable real estate by continuing old racist policies.

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-----Original Message-----
From: sharon lovallo
Sent: Thursday, November 9, 2023 7:11 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: lovallo, Sharon
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I think that spending money to cover the 33 is a waste of money.It is unfortunate that the parkway was destroyed but it disrupted other neighborhoods as well. Replacing it with a parkway will do nothing for the surrounding infrastructure .I also think that at this time any obstacles for people to reach downtown would result in economic harm and also since we have a core medical corridor it would add critical time to emergency traffic.Money would be better spent on better community centers that could provide youth with a safe place activities and possibly job opportunities in their areas.

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Mr. Andrew Love

Phone

County _Other New York
Addressed to: Governor

Email Subject: Kensington Expressway

Issue 1 78214 Construction Projects

Correspondence Number: 1198492P
Date Of Correspondence: 11/08/2023
Date Received: 11/08/2023
Date Entered: 11/08/2023
Referred To: DOT
Date Referred:

Routing History:

11/10/2023 12:16 PM (Routed By --> Kelsey Barrett) (Routed Via Outside Agency Email to --> DOT) This correspondence has been acknowledged and is being forwarded for further action from your agency.
Please provide a copy of response or notation of any other action recommended or taken. -- Please res pond to Kelsey Barrett

Incoming Correspondence:

I am writing to you to request an Environmental Impact Statement for NYS Route 33, Kensington Expressway Project (PIN: 5512.52) be conducted, including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has decreased post-pandemic; [2] a Cultural Landscape Report (CLR) be undertaken; and [3] full design options be prepared with community participation , including the rehabilitation of Humboldt Parkway.

From: Aaron Lowinger
Sent: Monday, September 25, 2023 1:00 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lowinger, Aaron
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: The historical imperative is clear, 100% of Humboldt Parkway must be restored. The idea of creating a tunnel and restoring .75 mile for $1B is absurd when the expressway can be filled in, and the parkway restored in full. There are many alternate traffic and public transportation routes that can be invested in to get inbound cars to their destination. We can no longer afford to sacrifice an entire community for the convenience of suburban car commuters.

The parkway's namesake, Alexander von Humboldt, is credited as being science's first naturalist, the first person to describe the effect of man-made disruption to the natural world, the first person to describe KEYSTONE species that hold an entire ecosystem together, without which, it would fall apart entirely. Humboldt Parkway is a KEYSTONE masterpiece of urban design, grander and longer than Bidwell Parkway by orders of magnitude. We've seen the result of destroying it. This wrong perpetrated on the East Side must be made right.

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From: Laura Lubniewski
Sent: Thursday, November 9, 2023 11:24 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Lubniewski, Laura
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: University at Buffalo Department of Architecture and Planning
Comment: I do not support the DOT's proposed capping of the Kensington Expressway as is. There must be an Environmental Impact Assessment completed providing information on air pollution, noise pollution, and impacts on local residents' health. There has not been an adequate transportation study on how this money might be used for public transportation and complete streets improvements that move people around the city by bus, lightrail, and bicycle. Furthermore, this proposal is in direct violation of the Climate Leadership and Community Protection Act (CLCPA). The CLCPA requires prioritization of reducing greenhouse gas emissions and co-pollutants in disadvantaged communities. The capping will concentrate car emissions on either end of the tunnel and result in lower health outcomes for those who live and work in that area, a historically disadvantage, red-lined, black neighborhood. This is unacceptable. Buffalo deserves better. I support a full restoration of Olmstead's Parkway system.

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-----Original Message-----
From: Katie Ludwig
Sent: Wednesday, October 25, 2023 11:02 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Kathryn Ludwig
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Please fill in the expressway and get rid of it altogether. Induced demand is real and the normal street grid is more than capable of absorbing the traffic. Plus, people will actually stop in the neighborhoods they drive through and patronize local businesses instead of zipping by at 60 mph. As a taxpayer, I find the cost of this tunnel inexcusable.
Thank you

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From: Elizabeth Maccubbin
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project
Date: Monday, November 6, 2023 10:09:15 AM

To whom this may concern:
I have lived in Buffalo and it's suburbs my entire life. The proposed intent to cover the expressway is a wasteful use of tax payer dollars. That money could be put to good use in many other ways to improve the entire city and benefit so many more residents than just those few living alongside the expressway. If they can't make their way from one side to the other, they have a problem. It's time to act on making the city of Buffalo a place to be proud to live in, and covering the expressway will not accomplish that.
Elizabeth Maccubbin

From: Tyler Madell
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project, Buffalo, NY
Date: Wednesday, November 8, 2023 4:46:18 PM

Mr. Sanjyot Vaidya
Project Manager
New York State Department of Transportation, Region 5
100 Seneca Street
Buffalo, N.Y. 14203

AND

Matthew Seymour
Senior Area Engineer
Federal Highway Administration Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719 Albany, N.Y. 12207

As a lifelong resident of the City of Bufalo, I urge you to please reconsider how this historic investment in Buffalo's transportation infrastructure can truly reverse the decades of harm caused by destroying our city's neighorboods to build this highway.

Additionally, I ask that [1] an Environmental Impact Statement for NYS Route 33, Kensington Expressway Project (PIN: 5512.52) be conducted, including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has decreased post-pandemic; [2] a Cultural Landscape Report (CLR) be undertaken; and [3] full design options be prepared with community participation, including the rehabilitation of Humboldt Parkway.

Thank you

From: Gabriella Madrid
Sent: Friday, November 10, 2023 2:24:20 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Madrid, Gabriella
Email
Include on future project updates: YES
Affiliation: Resident of Buffalo, and student of architecture and planning at UB
Comment: The project statements lists its main goal as “reconnecting the community”, while ignoring the negative health effects this project will bring surrounding residents - as if pumping tons of exhaust into these residential neighborhoods and school areas won’t make people sick. This definite eventual outcome cannot be ignored and it’s one of the reasons why this project absolutely should not be approved. This will also ensure that Buffalo’s park and parkway systems may never be restored, which is one of its most famous historical/cultural features. Buffalo’s historical roots have already been desecrated enough by the highway systems.

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-Ella Madrid
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From:
Sent: Friday, November 10, 2023 9:01:37 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Magyar , Wayne
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Remove it, the Kensington is not needed there already enough ways to get into the city. The ones that seem to need it are not the ones that live in the city.

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From: Patra Mangus
Sent: Sunday, October 22, 2023 3:13:57 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Mangus, Patra
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: resident
Comment: Please restore the parkway. Repair the damage done to this community and allow us to be whole once again.
Let the suburban commuters use the city streets to access downtown or improve the rapid transit to accommodate them
Don't waste any tax more dollars on this misguided cover up

* this email was generated by kensingtonexpressway.dot.ny.gov
Sent from Mail for Windows

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Edward Marriott
Date: Friday, November 10, 2023 4:59:18 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

Comment from Edward Marriott

I spent the first twenty-one years of my life living with my family in our home on Frederick Law Olmsted’s majestic Humboldt Parkway. There I remember playing with other neighborhood children amongst the gigantic shade trees that filled the center median of this glorious landscape: trees that constantly paraded before my eyes an opulent display of Buffalo’s ever-changing seasons.

On so many occasions, I can remember thinking how lucky I was to be living in such a beautiful city. It was that beauty and memories of it that have endeared

Buffalo to me forever.

However, as we know, a heartless savagery was soon to strike. From my bedroom window I watched with dreaded horror as all was transformed into the hideous scar that divides our city today; a scar which insults our humanity; a scar that threatens our lives with its lethal pollutants and deafening noise; a scar that has sucked the life from the East Side's once thriving business streets and proud arterials; a scar which has stolen from the citizens of Buffalo, its rightful heirs the key connecting link of a National Historic Landmark.

In Buffalo's history of mid-century planning blunders, it is hard to imagine one that has been equally as destructive on so many levels. And yet NYSDOT, with resounding approval and support from Governor Hochul and other federal and state politicians, is now proposing a billion-dollar misadventure that will only serve to preserve and reinvigorate what a recent Buffalo News Editorial referred to as an "urban infrastructure crime." Furthermore, it will terminate forever any realistic hopes of reconnecting the most important link in Olmsted's historic original design for the City of Buffalo.

The wanton destruction I witnessed as a youth has tormented my soul ever since and has left me determined, before my death, to do all I can to help redress a grievous injustice. Toward that end I have written extensively on this issue in Buffalo Rising (links below).

Since I am lucky enough to be among an ever-dwindling number of citizens to have had first-hand experience of Olmsted's masterwork in all its pristine wonder, I have decided to start my plea to NYSDOT and Governor Hochul with these personal experiences and memories.

As for the much broader range of relevant issues involved, I have covered those in specific detail in my writings. I am familiar with the comments sent to you by members of the Eastside Parkways Coalition, most particularly those of fellow Buffalo Rising author, Dan Cadzow. As I believe my own articles show, I am in full agreement with their comments, as well as those of other organizations such as the Citizens for Regional Transit, GObike and the Buffalo Olmsted Parks Conservancy.

It is my strong opinion that the present "fast-tracking" of this improvident taxpayer expense must be halted until there is evidence of compliance with the NYS Department of Environmental Conservation's State Environmental Quality Review Act (SEQR).

In my article, "Thank You GBNRTC…. You Are Needed Again!," I maintained that complicated matters such as urban design and planning which have multifaceted effects over a broad area of the city cannot be left exclusively to the siloed perspective of traffic engineers, no matter how skilled they may be in their particular craft. I congratulated GBNRTC on the wide territory and variety of metrics taken into consideration in their handling of the Scajaquada Expressway (Route 198). I find those consistent with the changes to federal transportation

policy initiated by Transportation Secretary Foxx

As her predecessor had done with the Scajaquada Expressway, I urge Governor Hochul to bring in GBNRTC to provide a desperately needed broader perspective on the matter of Humboldt Parkway and the future of the Kensington Expressway.

In my three-part article “Our Way – AND – The Highway,” I condemned NYSDOT’s attempts to stymie genuine public participation. So-called “public meetings” were rarely held and turned out to be little more than glorified press conferences in which NYSDOT officials announced what they had pre-decided. There were no Q & A’s allowing citizens to engage with NYSDOT officials publicly as a group. Citizens were strategically denied any interactive public engagement with officials that would have allowed their expressed opinions to be shared with and discussed by all in attendance. Any contact with NYSDOT representatives was intentionally restricted to individuals in private discussion or in writing.

Last month a frustrated citizenry finally called their own meeting in the Science Museum Auditorium. Shamefully, there had been no genuine public meeting on the Humboldt Parkway issue since the one held there on November 13, 2019.

Meetings with so-called “stakeholders” were not publicly announced and, to my knowledge, no publication of minutes or those in attendance was ever made available to the public.

There should be no need to remind you that this lack of transparency and public participation pertains to the expenditure of more than a billion taxpayer dollars: this for a project which appears to have little or no public support.

Once again, Buffalo is faced with one of those “Sixty Year Decisions;” a decision that will be with us for lifetimes to come. We can’t allow political pressures of the moment to – once again – force us into a future we will regret. A hasty, ill-considered decision now could be as burdensome to Buffalo’s next sixty years as has been that tragic decision of sixty years ago.

Links to Relevant Buffalo Rising Articles
Authored By This Commenter – Edward Marriott

Edward Marriott, “Our Way – AND – The Highway - Part III,” Buffalo Rising, June 13, 2023
---. “Our Way – AND – The Highway - Part II,” Buffalo Rising, June 8, 2023
---. “Our Way – AND – The Highway - Part I,” Buffalo Rising, June 7, 2023
---. “Thank You GBNRTC…. You Are Needed Again!,” Buffalo Rising, January 25, 2023
---. “NYSDOT’s $Billion Tunnel – Let’s Think About It,” Buffalo Rising, July 7, 2022
---. “Great Streets Make For Great Cities II – Humboldt Parkway,’ Buffalo Rising, June 28, 2022

Name

Edward Marriott

Email

Date

11/10/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

© East Side Parkways Coalition.

From: Dwayne Marsh
To: dot.sm.kensingtonexpressway
Cc:
Subject: Public Comment on NYS Route 33, Kensington Expressway Project
Date: Friday, November 10, 2023 6:01:31 PM

To: NYSDOT (Kensingtonexpressway@dot.ny.gov), Senator Tim Kennedy, Assemblymember Crystal Peoples-Stokes, Senators Schumer and Gillibrand, Congressman Higgins, and Governor Hochul

Cc: NYSDEC (contact@dec.ny.gov)
Re: Public Comment on NYS Route 33, Kensington Expressway Project

Dear NYSDOT, NYSDEC, Senator Tim Kennedy, Assemblymember Crystal Peoples-Stokes, Senators Schumer and Gillibrand, Congressman Higgins, and Governor Hochul,

The Kensington Expressway tunnel project that is slated to begin review and implementation over the next several years is fundamentally flawed and does not represent the direction that the Buffalo Niagara region, nor the state and the country needs to head in. This project is a continuation of policies that have literally ripped apart communities such as the East Side neighborhoods of Hamlin Park and the Fruit Belt, which once had the magnificent Humboldt Parkway. It also ignores the potential of alternative transit options, which will only grow in popularity with the shift away from car dependency and preferences from younger generations.

On a personal note, I was born and raised in the Town of Hamburg, but both of my parents were born and raised in Hamlin Park. Because they grew up in the 1960s after the completion of the Kensington Expressway, they never had the chance to experience the parkway before it was ripped out. Let us not forget that the parkway was designed by Frederick Law Olmsted himself, well known for the Buffalo Parks system, the first of its kind in the country, and of course Central Park. The planning mistakes of the 1960s are now coming back in 2023, and NYSDOT is charting the wrong course.

It has been said that by halting progress on the tunnel project, funds allocated for it will be diverted away from the project and Western New York and towards other infrastructure projects statewide. If this is the case, I say let's go back to the drawing board. The alternative project of filling in the roadway itself was never seriously considered, but may be the best and cheapest option of them all.

For one billion dollars, you could fill in the below-grade portions of the Kensington Expressway, terminate the west end of the expressway at either Humboldt Parkway or Kensington Avenue, and beautify the surrounding area with hearty trees while adding multimodal transportation access, such as bike lanes and tramways. With less people commuting to work downtown overall, more people interested in ditching their car period, and more interest in public transit by younger Americans, now is not the time to make the wrong decision. Now is the time to take bold actions. Full in the expressway, extend the Metro Rail to UB North and the Northtowns to capture the latent demand, and encourage drivers to utilize park-and-ride facilities to get downtown.

Buffalo has lost over half of its population since its peak in the 1950s, and still has hundreds of lane miles of highways that must be maintained. A ¾ mile long, billion dollar tunnel is only going to add to the capital expenditures budget and is the wrong direction to go in. The radial streets in Buffalo such as Broadway, Genesee Street, Clinton Street, Walden Avenue and others are derelict and underutilized. Pushing traffic to these streets would not cause undue harm or significantly add to travel times. In fact, we could see a resurgence of business to these corridors which have been neglected due in part to the construction of the expressway itself, white flight and redlining.

NYSDOT, please do not make this mistake. I spoke with one of your engineers over the summer at a festival in the city out of curiosity and asked whether the tunnel could be extended past the Scajaquada Drain. According to him, if the “political will” is there, it may be possible. However, we can all imagine the astronomical figures needed to accomplish this. If this project can't be completed properly for the good of the neighborhood, it's best not to do it at all.

Sincerely,

Dwayne Marsh Jr.

From: on behalf of Mary Martin
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 2:57:24 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Ms. Mary Martin

From: Bonita Martin
Sent: Wednesday, November 8, 2023 12:31:41 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

I was born in Deaconess hospital 80 yrs. ago and grew up in Buffalo. I left there in 2011 and still have ties there. I love natural areas and live in one. I am commenting on the plan to build a tunnel over the expressway and plant trees and plants on top of it.
Have the changes in weather in recent years been considered? Winds keep getting stronger and more numerous. Snow storms and rain storms are heavier. Trees and the ground needed to plant them are heavy. Trees will grow and be beautiful for a time.
That said, I see a serious danger in the "plan" to build the tunnel. As the weather continues to change and be more violent, trees may be blown over on people or cars in the area. The age and weight of the infrastructure could crash down in the wake of heavy storms.
Please reconsider restoring the expressway to the original parkway, linking the two sides back together and slowing traffic. I believe that would be a better option for the city & community that resides there. Thank you.

From: William Martin
Sent: Friday, November 10, 2023 3:22:11 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Martin, William
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: resident
Comment: This tunnel will ensure that MLK Park and Delaware Park can never be connected as Olmsted originally designed; in order to create the tunnel they need to dig 20ft deeper, and it won't be able to extend north of Sidney Street because it will hit the buried Scajaquada Creek.
They keep saying this is the first phase and there will eventually be a second or third phase to connect the two parks, but it is impossible due to: 1) the buried Scajaquada Creek and 2) NYS is facing a looming budget deficit of $36B over the next three years which means there will be no money remaining for additional phases.
This $1.1 Billion project will result in very little or no long term economic or environmental benefits to the community. It would only cost $200-250 Million to fill the expressway in and create a world class park between MLK and Delaware Park. That leaves $750M that could be spent on tangible community benefits.
The poor air quality will become concentrated and worse at each end.

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From: William Martin
Sent: Friday, November 10, 2023 3:24:32 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Martin , Laurie
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Resident
Comment: Just Fill it in. The tunnel is a bad idea. The expressway is redundant.

* this email was generated by kensingtonexpressway.dot.ny.gov

From:	on behalf of Mary Martin
To:	dot.sm.kensingtonexpressway
Subject:	Kensington Expressway Project
Date:	Wednesday, November 1, 2023 2:57:24 PM

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Sincerely,

Sincerely,
Ms. Mary Martin

From: Nanette Massey
Sent: Wednesday, October 18, 2023 2:52:04 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Massey, Nanette D
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: community resident
Comment: I'm not feeling this project at all. The rendition is lovely, it's not a BAD idea. I just kinda' feel like this project came out of nowhere. I know I'm wrong, about that. Still, it was people other than neighborhood residents who decided "hey, I know what would be a good idea! $55 million to build Humboldt Parkway back up!" instead of "hey E. Buffalo, we've got $55 million to spend. What would YOU like to see? How do YOU think this money should be used for your benefit?"
I'll tell you what, black kids in Buffalo are so-o-o-o-o-o far behind as a result of covid. I volunteer tutor 2nd graders at my neighborhood public school #74. 20% proficiency rating for the whole school. I am literally teaching them to count to a hundred, kindergarten math. I feel like a pebble in the ocean of the school-to-prison pipeline. If you'd asked me, I'd have said funnel that dough into tutors. These teachers are fighting an uphill battle with no help in sight.

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From: on behalf of Sarah Mast Bragg
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 8:21:02 AM

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Sincerely,

Sincerely,
Mrs. Sarah Mast Bragg

From: n behalf of Barbara Maynor
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 10:44:58 AM

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Sincerely,

Sincerely,
Mrs. Barbara Maynor

From:	Anne McCooey
To:	dot.sm.kensingtonexpressway
Cc:	Deneb Pirrone
Subject:	Comments on the Route 33, Kensington Expressway Project
Date:	Friday, October 27, 2023 5:22:45 PM
Attachments:	BRRAlliance 33 Statemnet of concerns.pdf

Attached please find the BRRAlliance comments on the Route 33, Kensington Expressway Project. We strongly encourage you to continue community outreach and expanded environmental studies in order to make this project beneficial to all.

Should you have any questions or would like to discuss these comments in more detail, please do not hesitate to contact me at any time.

Anne

Anne K.C. McCooey (she/her)
Executive Director
BRRAlliance, Inc.
52 Amherst Street
Buffalo, NY 14207
Phone: 716-202-9070
Web: brralliance.org

Working to improve the quality of life for those who live and work in the Black Rock, Riverside, Grant-Amherst and West Hertel communities of Buffalo!

BRR|Alliance
Black Rock Riverside Alliance

27 October 2023

TO: NYS Department of Transportation
FROM: BRRAlliance, Inc. Board of Directors
RE: NYS Route 33, Kensington Expressway Project

The BRRAlliance is a 501(c)3 not for profit incorporated in 2011 with a focus on improving the quality of life for those that live and work in the northwest corner of Buffalo. Our work has been focused on preserving the historic significance of this community, revitalization by stimulating economic development and fostering environmental stewardship.

Our traditional service footprint covers the most waterfront of any district in the city with over 4.3 miles of waterfront along the Scajaquada Creek and the Niagara River. But we recognize that the environmental health of one community can positively or negatively impact a region, and therefore we have taken our environmental focus broader than just our service community through projects such as The Habitat Project, where over the last four years we have certified the City of Buffalo and Erie County, through the National Wildlife Federation, as Community Wildlife Habitats, making them the 16th and 6th largest such certified communities in the nation. We are currently working to complete the certification of Niagara County and we have been mentoring Chautauqua County to achieve the same, thus creating the first corridor of certified communities in the country and ensuring that healthy environments for wildlife to thrive will exist along the full west coast waterfront of NY State.

We recently have been granted funding by the DEC to begin a residential air quality monitoring program since being surrounded on three sides by air born pollution generators (the 198 on the south, the 190 on the west and north, and industry to the north) our community, much like the community along Route 33 is a Designated Area of Concern/Disadvantaged Community due to high rates of health issues that can be attributed to the quality of the air and our diverse and low income population.

We have been actively engaged in convening and/or participating in community forums for numerous community planning initiatives that both the city and state have done and we recognize the significant undertaking that having community driven plans for a project of this magnitude can be, while at the same time knowing how important it is to not just create change for the sake of change, but to create change that will make a significant positive difference for those most impacted by the change.

With that said, the BRRAlliance submits the following recommendations regarding the Route 33, Kensington Expressway project:

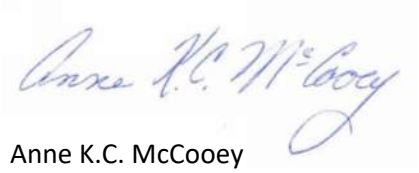
1. Given what we know from our experiences with community outreach and input, the comment period and the methods of outreach by the NYSDOT have been inadequate to truly get a consensus from the community on what their needs and concerns are regarding the redesign of the 33. A longer comment period should be allowed and more active engagement with the community needs to happen and while

the original comment period has been extended by 14 days, a longer comment period is needed, with additional meetings convened to explain the complex findings in the environmental assessment document to stakeholders.

2. The environmental health of this community given its central location in the city, will impact the health of the city as a whole and should not be put in jeopardy without thorough investigation. The environmental impact of covering a section, albeit a small section, of the 33 could have serious negative impacts on a community that already is a DAC with high incidents of heart disease, respiratory illnesses, low birthweight babies and premature deaths. A full environmental impact study should be mandated before any design moves forward in order to ensure that the air born pollutants that currently come from the high traffic volume on the 33 are not simply concentrated on the ends of the proposed cap, causing even more risk for serious and life-threatening illnesses for the people in those areas. This more thorough study should also look at the impacts of disturbing potential dangerous particulate matter into the air during construction process.

We urge the NYSDOT to slow down this process and allow this once in a lifetime opportunity to create a healthier more community centric environment and safer, more connected complete street neighborhoods and city.

Respectfully submitted on behalf of the BRRAlliance Board of Directors,



Anne K.C. McCooey
Executive Director

From: Mike McDonald
Sent: Wednesday, October 25, 2023 10:09 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: McDonald, Mike
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I strongly oppose DOT leadership for this project; they should be fired. The proposed solution prioritizes traffic throughput over the needs of surrounding neighborhoods and communities within. This "billion dollar band-aid" is a negligent use of hard earned community advocated funds. This project exacerbates the existing problem with the "trench", directing traffic beneath the east side; our streets and businesses deserve to be seen, commuted, and included.

This money will better serve the neighborhoods when distributed towards streets, lights, sidewalks, small businesses, and of course filling "it" in.

Is anybody listening?

Shame on Kathy Hochul, Tim Kennedy. and Byron Brown. At the last public hearing in September, I was shocked how each of these leaders had an opportunity to speak, but their "representation" left the before hearing the public comment session; skipping out and forfeiting their scheduled time to address community.

They're not here for us, shame on them.

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From: Luana McDowell
To:
Subject: Kensington Expressway
Date: Friday, October 27, 2023 6:49:07 PM

A day late and a dollar short. A waste of money and resources. It's too late to repair the damage the building of the expressway did to the black community under the guise of progress.

The money has to be used for transportation. Then build more pedestrian crosswalks over the Kensington expressway. Extend the rapid transit to the airport.

Do it without major disruptions to neighborhoods by building it down the middle of the Kensington. Do we really need three lanes to rush the commuter away from the city?

Yours truly,
Luana McDowell

From: McGilvray Jr, Richard
Sent: Friday, October 27, 2023 10:18 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: McGilvray, Richard
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Commuter who uses East Side Streets
Comment: Initially, I didn't understand the opposition to a tunnel and cap solution to remediating the Kensington Expressway. However, after research, reading the recommendations from the Olmsted Parks Conservancy, and the comments from a DOT spokesperson stating that the choices are $1 billion dollars to not truthfully restore the old Parkways or to have that $1 billion go towards some other community in NYS... I find myself opposed to this project.

The only solution that would begin to undo the mistakes made by City and State government decades ago is to fill the Expressway to Grade and restore the Old Parkways. As a daily commuter taking East Side Streets, I believe some extra congestion would be worth it. Heck, it might even drive people to spend money at small businesses rather than passing through directly to their home suburbs. Thank you for taking my comment!

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From: Robert McKegney
Sent: Monday, November 6, 2023 9:49 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: mckegney, robert
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: City Resident
Comment: Concerned about the very high price of this project. Rochester filled in a major portion of their downtown sunken highway for only $24 Million. $1 Billion is way too much for such a short section of this highway to be capped. We need to fill in the full downtown length of the 33 from Delevan to downtown instead.

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Robert McKegney
Senior Client Services Manager | Supplemental Health Care

Website | LinkedIn | Facebook | Blog

Supplemental Health Care's WeConnect mobile app puts the power of a national healthcare and education employment partner at your fingertips

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From: Daphne McNab
Sent: Wednesday, November 8, 2023 2:18:46 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: McNab, Dr. Daphne
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Resident of Buffalo
Comment: I understand the reason behind the why of this project, however, the repairing of the harm needs to happen differently. The entire Eastside of Buffalo needs to be updated like the Westside, Northside, and the Southside of Buffalo. We need affordable housing and McKinley HS has 3D printers to assist with the blithe of the Eastside to build homes in these empty lots. Stop playing in our faces with these millions and billions of dollars and genuinely repair the Eastside to the greatness it once was and update it in its totality and not just new curbs, sidewalks and benches.

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From: Patrick McNichol
To: dot.sm.kensingtonexpressway
Subject: PIN 5512.52 Kensington Expressway Project Comment Form
Date: Friday, November 10, 2023 3:51:16 PM

Name: McNichol, Patrick
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment:

Please conduct an Environmental Impact Study (EIS) to assess the impact of filling in the highway that has severely damaged the Humboldt neighborhood.

This highway has been depleting millions of dollars in equity from homeowners and businesses for decades. It is imperative that it be removed and the parkway fully restored.

Previous highway removal projects have consistently resulted in increased property values, improved quality of life, and wealth creation. Buffalo deserves it.

Fill it in.

From: on behalf of Anthony Mecca
To:
Subject: Kensington Expressway Project
Date: Wednesday, November 1, 2023 8:22:30 AM

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Dear NYS DOT,

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Sincerely,

Sincerely,
Mr. Anthony Mecca

From: Bianca Messinger
To:
Subject: Provide Public Transportation Improvements as Part of 33 Revitalization Plan
Date: Friday, October 27, 2023 4:47:37 PM

Dear DOT--

I am a buffalo resident asking you to reconsider a plan to include a light rail corridor as a part of the 33 cap project. As any buffalo resident who takes public transportation knows--it is well behind the acceptable standard for both the US and globe. This generational investment in the East Side also has opportunity to provide public transit solutions to the Airport and Downtown, and more access to higher paying jobs for East Side Residents. Simply connecting the neighborhood with a cap without providing increased transit opportunities will continue the isolation of the East Side which has led to the impoverishment of the area. Furthermore, maintaining road infrastructure without new transit projects will not help us meet our climate goals, which are already well behind schedule. I suggest a new NFTA line that runs from downtown to the Airport using the 33 Kensington right of way. The highway would be reduced to 2 lanes on either side, still providing transit to downtown from the suburbs, for those who choose to drive. Furthermore providing a link to the airport to downtown will ensure that the line has high ridership, as both termini are key destinations.

Please consider my proposal.

Thank you

--
Bianca Messinger, she/her
PhD Candidate, Department of English–Poetics
State University of New York, University at Buffalo

From: Terry Mickelson
Sent: Thursday, October 26, 2023 11:19 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Mickelson, Terry
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Neighbor
Comment: Capping the Kensington is a disastrous waste of money and a very-likely once in a lifetime opportunity. We are once again prioritizing cars and commuters over our community, continuing the blight that was started with the original neighborhood demolition that created the highway in the first place. Especially with the reduced traffic caused by the pandemic and the ever-increasing trend of work from home, we need creative solutions that focus on the needs of the surrounding community rather than the suburban commuters. Let's use this federal infusion of funds to start stitching the neighborhood back together, and returning to the original beautiful parkway that once existed. We owe it to that community!

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From: Brett Mikoll
To: dot.sm.kensingtonexpressway
Subject: Kensington POV - 14 Meech St.
Date: Friday, November 10, 2023 2:51:08 PM

Hello,

As a resident and business owner (60+ employees) in the City of Buffalo, I believe this is the time and opportunity to *create* something revolutionary. Filling in the 33 and reimagining the flow of traffic (vehicle and pedestrian) in this corridor would be life changing world news and prove that we aren't our reputation, or what people infer it is.

I'm not suggesting recreating the old parkway brick-by-brick, rather a new interpretation of the land. We deserve it (you the reader and me). There needs to be an environmental study for this option before anyone can sleep at night, knowing for a fact that all possible information was gathered. Where do the cars go? The 190, the arteries like Genesee, Michigan, Sycamore, Jefferson, etc., there's enough space and cars will always find a way.

This level of development would cultivate new ways to interact with each other and become a beacon for creativity and community for the next generation.

Respectfully and hopeful,

- Brett Mikoll

--
Brett Mikoll
Oxford Pennant

From: Doug Miller < >
Sent: Tuesday, October 31, 2023 8:48 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: miller, Doug Address: Phone: Email: Include on future project updates: NO Affiliation: Citizens United for No Traffic Comment: This project is a colossal waste of resources. I have been in contact with the ghosts of people who died during the 2022 Christmas Blizzard. 40 souls have agreed to haunt the officials who push this ridiculous project. People literally froze to death on the streets and months later someone came up with scam to spend a billion dollars to "fix what ain't broke". Common sense will see politicians who support this out of office. Activists who support burying commuters are frauds. The premise of restoring Humboldt parkway is a joke. For who? For a WHITE neighborhood that was displaced 80 years ago. "Divided community" or "disenfranchised minority neighborhoods" is a god damn LIE. In the 1940-50s when the 33 was planned the black population of Buffalo was a fraction of what it is now. Redlining certainly prevented the 4-10% black residents in 1940-50 from owning houses on Humboldt parkway. Also see a map for streets that you can walk across the 33 = NOT divided. * this email was generated by kensingtonexpressway.dot.ny.gov

From: Donald Miller
To:
Date: Tuesday, October 31, 2023 8:03:33 AM

This project is a tremendous waste of taxpayers dollars. These fund could be better used to renovate and provide economic housing on the cities support arteries. Drive from downtown on William St., Broadway,
Walden, Genesee and look at all the deserted buildings and properties.
Consider housing like on Swan St.

Creating a tunnel is a waste and will do nothing for the people in the affected area.

D. Miller

From: Bob&Janice Miller < >
Sent: Wednesday, November 1, 2023 5:44:08 PM
To: >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Miller, Robert
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: the cost of this is absurd. I can't imagine how much it will cost to maintain the project once completed. The kensington is a major route for entering in and out of the city. I find it hard to believe that it won't affect traffic while being under construction. I am not a genius but I do believe that anyone with common sense would say that this should never take place.
The skyway is a perfect example as to why this shouldn't be built. The cost to maintain it is a question and under review to have it torn down due to the expense to maintain it.
Please please, to all politicians involved, think about public safety, expense and inconvenience, before letting this project go through.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Miller Homeschool
Sent: Friday, November 10, 2023 12:42:36 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: miller, Grace
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Restore the parkway, let the community truly be what it should be.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Margaret Milliron
Sent: Friday, November 10, 2023 9:26:50 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Milliron, Margaret
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Neighborhood resident
Comment: I'm very opposed to this futile project. It doesn't fulfill its object and is a waste of sorely needed funds.
Raise the 33 to an at grade roadway, slow it down to 40 mph and put in crosswalks. That would connect the neighborhood. There could be room for a beautiful, tree lined median. An asset instead on an eyesore.

* this email was generated by kensingtonexpressway.dot.ny.gov

From:	on behalf of Jeffrey Milliron
To:	dot.sm.kensingtonexpressway
Subject:	Kensington Expressway Project
Date:	Friday, November 10, 2023 1:06:37 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mr. Jeffrey Milliron

From: Nathan Miloszewski
Sent: Wednesday, October 25, 2023 12:15:09 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Miloszewski, Nathan
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:

Comment:

Fill in the Kensington Expressway - do not waste money on a cap that only lets cars continue to dominate our community. Restore Olmstead's parkway and reconnect Delaware and MLK Parks. All of the residents along Humboldt deserve relief from this mess that NYS created.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: MITCHELL TODD E.
Sent: Monday, November 6, 2023 9:40 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Mitchell, Todd
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Private citizen
Comment: The DOT's plan to cap a third of the Kensington shows a dearth of imagination and questionable technical solutions. I do not trust the DOT's assurances that tunnel fans and wall coverings will deal effectively with the pollution. Illustrations of happy families picnicking in the middle of the cap surrounded by lush trees is just silly propaganda.
The DOT is stuck in 1950's transportation thinking, prioritizing cars and trucks and dismissing neighborhoods and pedestrians. This thinking produced the Kensington and Scajaquada Expressways in the first place. Fill in the Kensington! We drivers will cope just fine.

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From: Moon, David
Sent: Thursday, November 9, 2023 9:04 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Moon, David
Address:
Phone
Email:
Include on future project updates: NO
Affiliation:
Comment: I'm opposed to the capping and in agreement w/ Olmstead Park conservancy.

* this email was generated by kensingtonexpressway.dot.ny.gov

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From: Candace Moppins
Sent: Friday, November 10, 2023 9:41:35 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Moppins, Candace
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I am concerned about the air quality, the lack of compliance of the climate act and the absence of an environmental impact statement for this project. I do not believe that the current proposal is the best proposal for the community.

* this email was generated by kensingtonexpressway.dot.ny.gov

Sent from my iPhone
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From: Patrick Moses
Sent: Thursday, October 26, 2023 11:49 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Moses, Patrick
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Born and raised in Buffalo.. I currently own a home in Buffalo and will return a the next few years.
Born and raised in Buffalo. I currently own a home in Buffalo and will return a the next few years. I believe capping the 33 is not the solution. With increased pollution concentration to certain locations etc. All have been discussed. Filling in and returning the parkway is the best choice.and return to public transit and light rail.
I believe capping the 33 is not the solution. With increased pollution concentration to certain locations etc. All have been discussed. Filling in and returning the parkway is the best choice.and return to public transit and light rail.

* this email was generated by kensingtonexpressway.dot.ny.gov

Patrick Moses
Council President
Borough of Brooklawn
301 Christiana St.
Brooklawn, NJ 08030
Cell# (856)298-7569

-----Original Message-----
From: Margo Moulin
Sent: Wednesday, October 25, 2023 8:01 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Moulin, Margo B
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalo resident

Comment: Please restore the Olmsted Parkway instead of covering the 33. A covered roadway can't support the mature trees that this community lost. They deserve to have a roadway as beautiful as Chapin Parkway.

We are on the cusp of a transportation transformation. Won't rely on individual automobiles in a decade or two. We need more mass transit like European cities rely on. Fill in the ditch and save the citizens' money for improved mass transit solutions.

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From: Eric Nagel
Sent: Tuesday, September 26, 2023 3:31:41 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Nagel, Eric
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Just fill it in. The expense of this project is absurd.

If the speed limit drops to 30 mph at the 198, as it does ON the 198, The 2.4 mile drive would go from 2-1/2 minutes to just 5 minutes. Our city does not need to be cut-up with 55 mph expressways. Look at what Humboldt Parkway used to be, with Frederick Law Olmsted's design. Buffalo needs green space, trees, and transportation options for everyone (mass transit, walking and bike paths).

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From: David Nardozzi
Sent: Thursday, November 9, 2023 1:14:49 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Nardozzi, David
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This proposed project is a Bandaid approach. The problems that this project is not going to fix the streets, rehab the homes, clean up the boarded up business districts, reduce crime, help the children succeed in life or help the seniors and homeless. There are many better ways to spend a billion dollars.

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-----Original Message-----
From: Rin
Sent: Friday, October 27, 2023 6:19 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Neal, Arinna
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Hamlin Park Association
Comment: The money could be better spent in the community to create a green space environment along Humboldt. I remember how Humboldt was before the 33. The construction was messy and long.
The tunnel proposal should be evaluated based on the recent earthquake that shook houses at their foundation. Any earthquake that can cause a shift in a solid foundation, could create a deadly nightmare in a tunnel. San Francisco and Oakland found out the hard way.
Has the tunnel be evaluated for possible earthquake effects? How many people in the community have been actively involved in the decision making or comments? Less than a majority do not constitute community approval.
I am against the proposal to change the Kensington Expressway.

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From:	Dede Petri
To:	dot.sm.kensingtonexpressway
Cc:	Dede Petri
Subject:	Comments of the Olmsted Network
Date:	Friday, November 10, 2023 5:23:44 PM
Attachments:	image001.png

Reject the Kensington Highway Proposal
Return Humboldt Parkway

Frederick Law Olmsted and partner Calvert Vaux created a system of parks and parkways in Buffalo, New York to benefit the ENTIRE community, earning Buffalo the moniker of "the best planned city in the world." Key to the plan was Humboldt Parkway, connecting the city's two largest parks (Delaware and Martin Luther King, Jr. (formerly known as Humboldt Park)) via a wide tree-lined boulevard.

One hundred years later, the intrusion of the 33-Kensington Expressway devastated Humboldt Parkway, dividing neighborhoods and prompting economic, social and cultural consequences, which haunt Buffalo to this day. In addition, the intrusion of the 198 Scajaquada Expressway tore apart Delaware Park, the "crown jewel" of the Olmsted Park and Parkway System in Buffalo, NY. Rather than the "best planned city in the world," Buffalo became a city segregated by design, displacing thousands of African Americans.

Now sixty years later, thanks to the Governor and state and federal leaders, there is a real chance to right that wrong. There is an opportunity to pay respect to Olmsted's parks and parkways, duly recognized on the National Register of Historic Places, by returning to the vision of a city united through greenspace.

The current plan for the 33-Kensington Expressway is neither a good design nor good use of funds. The proposed cap will "cover" a mere 4,500 feet of the expressway— at an immense per foot cost. It will do nothing to return Frederick Law Olmsted's original parkway design. It won't ensure beautiful allées of trees. It won't significantly reduce heat and provide shade. It won't stitch back the community. It will be just one more insulting "solution" inflicted on the residents of Buffalo's East Side without real consultation or expertise.

State leaders, Federal Highway Administration and NYSDOT have ignored environmental and health impacts and are continuing the abusive behavior practiced in the 1960s when the 33-Kensington Expressway was imposed on Buffalo's East Side. The proposed cap is not the solution for the neighborhoods around the 33; they deserve better and the residents of the entire City of Buffalo deserve better.

The 33-Kensington Expressway proposal is unacceptable and should be rejected. It's time to return the Humboldt Parkway to its original grandeur.

When the city and state first began to revisit the designs of 198, community members opposed the solution by the NYSDOT, demanding a tree-lined boulevard that would reunite the cultural

assets in keeping with Olmsted's original plan. Ultimately the Greater Buffalo Niagara Regional Transportation Council (GBNRTC) took over the planning process. As a result, after decades of hard-fought advocacy, these neighborhoods succeeded in identifying a safe and park-appropriate multi-modal roadway through Delaware Park. The same is needed for the 33-Kensington Expressway and the totality of these roads must be stitched back together - "One Road Now."

According to NYSDOT, there is just one solution for the 33-Kensington Expressway— a partial cap. But that should not be the end of the discussion. The cap will NOT restore Humboldt Parkway; it is just another temporary fix to a historic divide. Unless other options are explored, the same communities that have borne the brunt of racism, pollution and inequitable investment will be victimized once again.

One real option is creating a boulevard. Much like the 198 solution, a boulevard approach to the 33 would reunite the communities and come close to restoring the Humboldt Parkway. Rather than seriously studying this option, NYSDOT has summarily rejected it on the grounds that there is too much traffic on the 33.

However, in Milwaukee, WI, faced with a similar situation, the communities aren't taking no for an answer**.** Local leaders have told state officials that saving a few minutes of commute time should not take preference over restoring neighborhoods. They note that removing the freeway has the potential to connect the neighborhood, make the area more walkable and safer, while regaining more public space. In the neighboring state of Michigan, Governor Gretchen Whitmer has acted in much the same way— applying for federal funds to eliminate I-375, which divided downtown Detroit forty years ago to create an "urban boulevard."

It's understandable that many in the neighborhood have previously been willing to accept the cap design, having waited so long for some action. But desire for action should not get in the way of thoughtful and integrated solutions, particularly when so much money is involved. As the Conservancy has outlined, there is an urgent need for a cultural landscape report that documents what happened to Olmsted's Humboldt Parkway. Nor should NYSDOT and others be allowed to ignore what is now overwhelming community support for a ONE ROAD NOW solution, endorsed by our partner the Buffalo Olmsted Parks Conservancy.

Buffalo needs to rebuild ALL its infrastructure for a more equitable future. Returning the 33 to a boulevard can be an important step to achieve that goal. And it can be a way for the NY governor to show leadership in the cause of social justice.

It's time that the Governor and citizens demanded the same kind of ambitious planning that leaders demanded in Olmsted's time. By thinking at the scale of the problem and reimagining both of Buffalo's expressways, Buffalo can develop a holistic plan that will be economically and environmentally sensible, connect communities rather than separate them and be worthy of Buffalo's Olmsted heritage.

The Olmsted Network is the first and only national organization that champions Olmsted parks and places through advocacy, stewardship and education. Our network is international and includes Birkenhead Park, Central Park, Bok Tower Gardens, Prospect Park, Biltmore, Stanford University, the Emerald Necklace and the Village of Kohler. www.olmsted.org.

Anne “Dede” Neal Petri
President & CEO,
Olmsted Network
202.680.0396 (C) | petridede@olmsted.org
1101 30th Street NW, Suite 500
Washington, DC 20007



From: Tom Needell
Sent: Tuesday, October 24, 2023 1:47 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Needell, Tom
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: Destroying Humboldt Parkway and its neighborhoods for the 33 was a massive mistake. Strikingly, this is nearly universally accepted -in an age when human beings can't agree that the earth is round.

The only true remedy is to simply reverse the mistake, bury the 33 and restore the Parkway. Thankfully, this is orders of magnitude cheaper than the current proposal to cap. It also happens to be faster, less of a disruption, and results in a healthier neighborhood. Imagine the things we could fix with the nearly $1BN left over.

The city and it's neighborhoods don't deserve to be traffic sewers, and if moving high volumes of vehicle traffic is the goal, please reconsider the goal, and simply see what the successful moving of high volumes of traffic has gotten us -a disaster.

Please consider this once in a lifetime opportunity to have the courage to help mend the ignorant follies of the past and restore confidence in this State and region's ability to make the right planning decisions.

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From: Eme Nieves < >
Sent: Monday, October 30, 2023 2:57:01 PM
To: >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Nieves, Emere
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Humboldt Parkway Resident
Comment: This project needs to be stopped because it does not fix the social, environmental and economic injustices afflicting this community caused directly by the existence of this speedway. The entirety of the highway cutting through this section of the city should be permanently eradicated and filled in to restore the original design of the Humboldt Parkway. The highway pollutes the neighborhood with dangerous fumes along with deafening noise pollution. This is also the most dangerous stretch of the Kensington expressway, with lethal accidents happening throughout the year. This project proposed would perpetuate the lost generational wealth by maintaining reduced property values while simultaneously brewing chronic related illnesses among the community living around here. This proposed project would keep a predominantly black community poor and sick, the most thorough means to erode the paths to the American Dream. Stop prioritizing the exodus to suburbia. Rebuild Humboldt Parkway!!

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From: Philip Niles
Sent: Wednesday, November 8, 2023 10:05 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Couldn't this magnitude of funding be put to better use elsewhere? Even if not administered locally, I am still in favor of NYS being fiscally responsible with its resources. We are all NYS residents.

From:
Sent: Friday, October 27, 2023 10:29 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: nocera, Carl
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I believe that the Federal funding can and should be spent towards highways that need repair. This highway is not in distress. I know of many other bridges and roads that really need rebuilding. I travel over many miles of roads in WNY that need rebuilding.and some Bridges that are crumbling, I do not know why this project is at such a high price, it has been reported 1 Billion dollars - is money that should go to some other location. Reported by area road engineers and county governments that the price tag for a fraction of their roads and bridges is over a Billion dollars. I would think that in the long term, a billion dollars would help some but not all of our needs. Not this project.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Tina Nunez
Date: Saturday, November 4, 2023 8:11:22 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

I will not accept anything other than complete infill and a restored surface level parkway connector as Olmsted intended. I am a city resident, business owner, and homeowner. Our household owns cars, and we both drive and ride bikes for transportation.
This stupid highway divides our city, and cuts us off from accessing our childrens grandparents house practically by bike.

Outsiders do not get to tell us what we do with our community. If you want to build roads for suburbanites, do it in the suburbs.

This project could be done correctly for a fraction of the price, with money still left over to restore the Historic Delaware Park bridges that were buried with the fill from this obsolete and ill-conceived mistake.

Name

Tina Nunez

Email

Date

11/4/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

© East Side Parkways Coalition.

From: Tom Oakley
Sent: Thursday, October 26, 2023 10:03:41 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Oakley, Thomas
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This project seems like a waste of money.
The Kensington was a mistake in the first place, but that was 70 years ago. The damage is already done, look forward, not backward.

I think there's dozens of more impactful ways of spending $1 billion East Buffalo. Perhaps large scale housing development to give folks nice places to live, invest in local infrastructure across the entire neighborhood, reinvest in the neighborhood parks that are still there. $1 billion for a largely symbolic 11 acre park over Kensington is ridiculous. MLK Park is 5x that size and, like all of the Olmsted parks, it could use a serious cash infusion to bring amenities to the residents. Id think you could invest $20 million into MLK park and it'd be the envy of the entire region! Leaving you with $900+ million to spend on other major East Buffalo improvements. The only thing this project will do with certainty is line the pockets of construction firms.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Alan Oberst
To: dot.sm.kensingtonexpressway
Cc: Alan Oberst
Subject: Kensington Expressway Public Comments
Date: Friday, November 10, 2023 11:57:37 PM

Via email to Kensingtonexpressway@dot.ny.gov
Kensington Expressway Project Team
NYSDOT Region 5 100 Seneca Street
Buffalo, NY 14203
Re: Kensington Expressway Public Comments

Friday, November 10, 2023

Dear Kensington Expressway Project Team,

Thank you for the opportunity to comment on your proposed Kensington deck project, with which I have been engaged for some time.

I want to begin by stating that I am part of ROCC and my involvement in this project goes back to the UB study a decade ago, that I was invited to be involved in. I have a researcher appointment at the School of Architecture and Planning, and was invited to be involved by the professors who led the study. Although initially a skeptic, the study work convinced me that the concept of decking the Kensington was desirable and feasible. However, the concept we explored was substantively different from the project the DOT is currently proposing, a proposal that needs to be fundamentally reworked.

Without essential, fundamental rework, this project is fatally flawed and should not go ahead as currently proposed.

Further, it is clear that, especially given the fundamental change made in the summer to remove the ventilation that was a fundamental element in the conception of this project from the beginning, it is essential that a full environmental impact statement be required for this project, rather than just the environmental assessment.

There are several specific issues that need to be addressed with the current project and I would like to highlight the ones I think are most important:

Historic review
I have been one of the consulting parties in the Section 106 historic review, where many of the consulting parties, in particular the Buffalo Olmsted Parks Conservancy, have raised many significant issues. I won't raise them all here, but need to point out that one of the fundamental purposes of this project is the full restoration of Humboldt Parkway and also the northwest corner of MLK Park (formerly Humboldt Park) that was taken for the portion of the expressway that tails off from the former Humboldt Parkway alignment to the southwest. In other words, this project is, in fundamental part, a heritage landscape restoration project. Such

a project must, obviously, be informed by a properly prepared Cultural Landscape Report (CLR), and also in consultation with experts in heritage landscapes and those with relevant specific knowledge like the local Olmsted Parks Conservancy.

However, this project, as proposed, does not actually restore the heritage landscape. Not only that, it puts permanent barriers in place to ever being able to make that full restoration in the future. Among primary reasons for this failing are: 1) Despite having been told, in writing, by both ROCC and the Buffalo Olmsted Parks Conservancy in the summer of 2022 that a CLR was essential, the project team never had such a report prepared. 2) The project team has never consulted with experts in heritage landscapes and those with relevant specific knowledge like the local Olmsted Parks Conservancy.

Without being substantially reworked to properly restore the heritage landscape to the maximum extent possible, this project fails to meet one of its foundational imeratives as essential to the project as the imperative frequently cited by the NYSDOT of not impacting traffic flow/volume through the project site.

Failure to properly rework this project in this respect could open this project to lawsuits, which would almost certainly delay the project more than the time it would take to rework it properly.

Air quality
Air filtration and even air scrubbing was a fundamental conception of this project. Just months ago, the project team announced to stakeholders that they had decided to remove the filtration and ventilation planned for this project, and instead rely on vehicular air pressure, supplemented by jet fans when necessary, to push particulate pollutants and exhaust from the tunnel portals as "plumes." This decision was made without any consultation with stakeholders or the wider community; it was simply announced at a stakeholders meeting. Naturally, the community is very concerned about this change, especially since the project team acknowledges that the plumes will create pockets of worsened air quality from a project for which one of the fundamental conceptions and justifications was the improvement of air quality and a promise to put in place active measures to remove pollutants.

Failure to conduct a full Environmental Impact Statement (EIS) could open this project to lawsuits, which would almost certainly delay the project more than the time it would take to rework it properly. The NYCLU (which, along with its affiliate ACLU, has developed a legal practice specializing in urban expressways), in comments it has submitted, has documented several concerns that could potentially result in lawsuits filed against this project, making the potential of lawsuits far more than theoretical or speculative.

Future rapid transit in the Kensington corridor
The initial UB study a decade ago of the concept of decking the Kensington in this project area included the concept of using the Kensington corridor for future rail transit to the airport. In fact, one of the study's lead authors, Dr. Hiro Hata, has often said that he found that one of the most interesting aspects of the study. However, as was learned at the November 8, 2023 stakeholders meeting, the DOT acknowledged that the tunnel project, as currently planned, would not be wide enough to accommodate future rail transit in the corridor. Since a new rapid transit line would be incompatible with the heritage landscape that this project aims to create on the deck surface, it would have to be placed below grade in the tunnel.

But since the DOT acknowledges that their project plan does not even provide room that could be used for future rapid transit through the project site, the DOT, in effect, is acknowledging that they are knowingly creating an automotive-oriented transportation project that actually precludes the future use of the Kensington corridor for rapid transit to the airport. Not only is that profoundly bad planning, it almost certainly violates policies that have been put in place to assure sensible transportation planning that doesn't unduly provide for a single mode at the expense of others.

When asked why the project team made this decision, they acknowledged that they made it solely in consultation with NFTA, the regional transit agency. They did not consult GBNRTC, our regional transportation planning agency, project stakeholders, or even any transit advocacy organizations. In fact, I was told by a leader of GBNRTC that at the beginning of the Kensington project that their agency was advised by the DOT that their presence was not necessary.

Furthermore, the project team told the stakeholders group on November 8 that the NFTA did not, in fact, tell the DOT that the Kensington corridor was not a viable alternative for rail transit to the airport, but simply that they had no plans for that at the time. Yet that does not mean that the corridor might not be seriously considered in the future, and in fact it likely would. The way NFTA handles major capital projects on the scale of a Metro Rail extension is to focus on one project at a time. While NFTA officials and transit advocates alike would like to see an airport connection be the next major rail transit project after the current extension project to UB North Campus, the airport project simply hasn't been planned. Any such planning would naturally evaluate alternative routes, just like a highway project evaluates alternatives. And it is obvious that the Kensington corridor would be one of those alternatives considered.

To process this further, it is possible to do a simple planning analysis to show what the potential might be to use the Kensington corridor for rail transit to the airport. Because of a limited number of possible routes, an alternatives analysis would identify a half-dozen or fewer possible corridors. Of those, many of the alternatives would follow relatively isolated railroad corridors, with a substantial percentage of the route serving very few riders. Another, following Main Street to Williamsville, is not isolated but would pass through entirely upper-income areas. Only the Kensington corridor would serve populated, low-income neighborhoods along its entire route through the city, especially Kenfield-Langfield, and also major destinations like BNMC and ECMC.

In this basic analysis, also consider funding sources for new transit lines, most significantly from the FTA. What are the FTA criteria for evaluating new transit lines to fund? Largely aligned with the Kensington corridor: serving low-income, diverse communities and providing opportunities by better connecting people with jobs, goods, and services.

Even a basic, very preliminary evaluation of potential corridors for future rail transit to the airport shows that the Kensington corridor is not only a viable option, but in fact it may be the single best option for serving the largest number of people in areas that currently have relatively poor transit service, including the low-income, diverse communities that meet key FTA funding criteria. It would also serve the single biggest destination in the city without rapid-transit service: ECMC. And it would connect residents of Kenfield-Langfield with new opportunities for jobs downtown, at ECMC, and at the airport, where good living-wage, union, and civil-service jobs are available.

It is not only bad transportation planning and policy to create an auto-centric project that precludes future transportation in a healthier, more sustainable mode, but by precluding the potential to serve underserved communities and provide potential opportunities to low-income, diverse communities it is unethical and wrong to do so. Obviously building a new transit line is out of the scope of this project, but it is imperative that the project be replanned to either create dedicated space for future transit or at least not preclude future rail transit in the tunnel.

Path forward
This project needs to be paused both to allow preparation of a full EIS and also to rethink critical elements of this project. At the same time, the delay cannot be indefinite without endangering the funding committed to the East Side or creating the impression of a project that has fully gone off track. Also, in order to address some of the most commonly raised issues around this project, regarding its sense of disconnected planning, the pause must be used to get at least preliminary, conceptual planning work for the parts of the Kensington corridor north and south of the project area. We also need to take a closer, preliminary look at the potential to use the corridor for future rapid transit, to determine what changes to the deck and tunnel would accommodate, or at least not preclude, future rapid transit. We also need to begin conceptual planning for how to connect the Kensington project area with the Scajaquada project area, and address the questions of the Scajaquada Creek area and reconfiguring or removing the interchange.

Such a balance was achieved for the Scajaquada Expressway project, and we need the same wisdom, political will, and patience in this situation. As with the Scajaquada project, it is not clear that the DOT has what it takes institutionally to successfully navigate that process on its own. There will also need to be a great deal of planning work done in a very short, defined amount of time. It may be necessary to create a kind of high-functioning, mission-driven project advisory council to confidently navigate this project through the delay period and assure that we emerge from the delay period with everything in place to resume moving ahead confidently. Such a group might have to be chaired by someone like a Hal Morse, longtime director of GBNRTC and the successful navigator of the Region Central process, or someone like a Bob Shibley, who has more experience successfully managing large-scale planning initiatives than anyone else in the region.

It may also be essential to tap into the expertise and capacity uniquely available at the UB School of Architecture and Planning to get the kind of preliminary, conceptual planning needed to give us a base and roadmap for how we move forward with the current phase and next phases of restoring our communities, in accordance with the longtime vision of the Restore Our Community Coalition and, really, everyone.

A corridor of opportunity
Finally, I would suggest that the long-term vision that people want to see developed for the Kensington corridor at large take the form of a corridor of opportunity. A key element of that is to consider the impact of rapid transit in the Kensington corridor and its potential to transform communities and transportation in the broad area of the East Side that the Kensington corridor has contributed to devastating and tearing down but could contribute to strengthening and building back better. Another element would be to consider whether the vision many have recently espoused of "downgrading" the Kensington Expressway to a boulevard or parkway, and investing in the radial streets, could re-create a street grid that not only can handle traffic but restores a sense of hope to all of the East Side neighborhood that

the radials pass through -- a kind of "East Side Radials" program to complement the existing north-south "East Side Avenues" program.

This would be a vision to remake and uplift a major portion of the East Side, not just a small piece. A vision with something for everyone that everyone can get behind.

From: Sean O'Brien
Sent: Wednesday, November 8, 2023 5:36 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: O'Brien, Sean
Address
Phone
Email:
Include on future project updates: NO
Affiliation: Erie county resident
Comment: This sounds like an absolutely horrible use of $1,000,000,000. There are many other needs that would have a far greater impact on the western New York area. I would imagine if residents were able to vote on this project it would be soundly defeated.

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-----Original Message-----
From: Mary Odden < >
Sent: Monday, October 30, 2023 8:21 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Odden, Mary
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: University at Buffalo
Comment: Listen to the residents of Buffalo: FILL ON THE 33. Do not build the tunnel. Restore the parkway as it was intended. Reduce car dependency and design for public transport! Future generations (like myself) do no want and cannot afford to depend on car centric models of transportation. Restore Humboldt parkway at grade!

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-----Original Message-----
From: Kathleen Ola <
Sent: Friday, October 27, 2023 6:41 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Ola, Kathleen
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I believe this project is a true waste of money. We do not need to fix things that are not broken.That amount of money could fix a lot of bridges and waterways. Ask each and every adult in the affected area and see what they would prefer - not the politicians or the environmentalists.

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From:	michael ondrusek
To:	dot.sm.kensingtonexpressway
Cc:	DOTExecSec@dot.gov
Subject:	Buffalo Olmstead Parkway Rehabilitation Plans
Date:	Wednesday, November 8, 2023 6:37:54 PM

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Buffalo is a beautiful city. Its people, its location, and its cultural heritage each make it so. It is no longer an industrial dynamo, but a cultural museum with the parks and architecture that are located all around us. The issue of the Kensington Expressway/Rte. 33 needs to be addressed with knowledge of and understanding for our heritage and environment. Toward this end, I strongly urge that Section 106 of the National Historic Preservation Act (NHPA) of 1966 requires that federal agencies (including, as in this case, FHWA), consider the effects on historic properties of any project they carry out, assist, fund, permit, license, or approve throughout the country. The process allows the Advisory Council on Historic Preservation (ACHP), consulting parties, and the public the chance to weigh in on the project before a final decision is made.

Several groups concerned with the Kensington and it's future and many motivated individual citizens request that the BOPC, along with Preservation Buffalo Niagara and the Buffalo Museum of Science, consulting parties in the Kensington Expressway Project, have voiced their disapproval of the proposed alternative (the so-called "cap"). As part of the National Environmental Protection Act (NEPA) regulatory process, which is intended to work together with Section 106, an Environmental Assessment (EA) of the project alternatives was undertaken and published, with comments originally due by October 27, and now extended to November 10. The EA process will conclude with either a Finding of No Significant Impact (FONSI) or a determination that an Environmental Impact Statement (EIS) – undertaken when significant cultural or environmental impacts are likely – is required. I am, and we are concerned that a FONSI will be the finding, given discussions that many have had with the NYSDOT officials at recent public hearings.

The groups and individuals support having an EIS undertaken, which would provide traffic and air quality studies; they also recommend that a Cultural Landscape Report (CLR) of the historic Humboldt Parkway be produced. The results of this detailed research and analysis would inform management decisions, appropriate treatment, potential adverse effects, stewardship, and other matters. BOPC and various other organizations and citizens have repeatedly requested a CLR of the project administrators, but this request has not been officially acknowledged.

I am asking you to support an Environmental Impact Statement for NYS Route 33, Kensington Expressway Project (PIN: 5512.52) be conducted, including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has decreased post-pandemic; [2] a Cultural Landscape Report (CLR) be undertaken; and [3] full design options be prepared with community participation, including the rehabilitation of Humboldt Parkway to its pre-war, pre-highway state.

Sincerely yours,

Michael Ondrusek

-----Original Message-----
From: John Ostroot
Sent: Monday, November 6, 2023 1:38 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Ostroot, John
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Periodic commuter to downtown Buffalo
Comment: After reading several articles about the project in the Buffalo News, I'm concerned that the continued traffic through the new tunnel will still have adverse environmental effects on the surrounding community. The exhaust fans will tend to concentrate the fumes at the tunnel end(s), and people downwind will suffer. There will undoubtedly be noise and some vibration transmitted up through the new cap from traffic in the tunnel, and limited soil depth would be a problem for future trees. I'd like to see the parkway undergo a full restoration (as close as possible) to its original state. With reduced worker demand downtown compared to decades ago when the Kensington was built, city streets and I-190 should be able to handle traffic load for commuters. Thank you.

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From: Erkin Ozay
Sent: Thursday, October 26, 2023 5:25:48 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Ozay, Erkin
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I favor removing the highway fully, as opposed to building a costly capping structure. Fill the cut of the expressway and restore the Olmsted Parkway that East Side Communities deserve—not the polluting exhaust infrastructure and speeding traffic toward downtown. It is time that we elevate the needs of pedestrians and bikers over car owners. Car ownership in the East Side is already low, why should they pay the price for the needs of suburban commuters?

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Erkin Özay

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From: Christina Oztan
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project
Date: Friday, November 10, 2023 11:27:05 AM

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Dear Sir/Madam,

I am writing to oppose the current proposed Kensington Expressway Project.
I support a full restoration of Humboldt Parkway from MLK, Jr. Park to Delaware Park, that will connect the community, provide green space and improve air quality.
As someone who has several family members who reside on Humboldt Parkway, the current proposed project, which includes the creation of a tunnel,
will negatively impact their homes and health and therefore I oppose the proposed project.

Sincerely,
Christina Oztan

From:
To: dot.sm.kensingtonexpressway
Subject: RE: Kensington Expressway Renovation.
Date: Friday, November 10, 2023 4:19:16 PM

If this project proceeds I, and many other members of the other three sections of Buffalo, West Side, North Buffalo and South Buffalo, will be correct in labeling New York State RACIST! This project is meant to satisfy the Liberal politicians who are doing this mainly to keep the Black vote democratic/liberal. If you are going to invest one billion dollars in Buffalo why not split the billion dollars four ways East Side, West Side, North Buffalo and South Buffalo. By the way these other three sections are also democratic/liberal. All sections of Buffalo could benefit from an investment of 250 million dollars rather than some ridiculous one billion dollars to improve the Black East Side Kensington Expressway renovation. This is as dumb as keeping one section of an EXPRESSWAY at 35 miles per hour due to an terrible accident many years ago. Put up a fence along the sections of the Expressway where that accident happened and let the Expressway be an Expressway once again, there I fixed one problem for you all ready. Now stop this Kensington Expressway project STUPIDITY!
Joel P.

From: Pouya Pakkhesal
Sent: Friday, November 10, 2023 2:28:35 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: pak, pouya
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: student at UB Architecture
Comment: This project, although good on paper, is actually more harmful to the community. This project essentially creates a pipe that exudes exhaust at schools, daycares, and the community itself. It will be a complete disaster and even worse for the neighborhood. Spend that $1 billion elsewhere, fix the problem at its core instead of covering it up

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From: Michelina Pariso <
Sent: Friday, October 27, 2023 12:30:39 PM
To: >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Pariso, Michelina
Address:
Phone:
Email:
Include on future project updates: Yes
Affiliation: buffalo resident
Comment: this is harmful to Buffalo as a whole, creating more pollution while doing nothing to help the residence of the surrounding areas. I will continue to watch how this plays out, as political action that goes against our best interest as a community will equate to this community resisting all who support these harmful policies & projects. please do the right thing for our community.

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Joel Peacock
Date: Friday, November 10, 2023 4:06:09 PM

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<https://feabega.r.af.d.sendibt2.com/tr/op/o9kFJVIg2YR6ncanuoiyDZcshv95uIWI8tDdTIqD_fLC9V5cD8C0kRd8EWlLwymMukX247zFaGBFpyCjSNpNB3DqdWiyHqXZeMxv_S1orhs7bo5r1iZDVEMwOcFCq__WUdIfnalGKpk-1WUdCNkLZnvddnTZdNYsH-nLtKM_glX724hHh9VuKT2aBlg_XYMCDE_kbRXIzLB_4lFMCwfwklxHCxDWUqfG6t_hGdQJxg>

To the New York State Department of Transportation

* I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
* I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
* I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
* I do NOT want this expressway to cut through our neighborhoods—period!

* I DO want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
* I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to "build" and "no build," including expressway removal.
* I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
* I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)
Why not leave the expressway as is, it has worked fine for many years. As long as New York State is going to invest a billion dollars in Buffalo why not split it up four ways, 250 million for the West, East, North and South sections of Buffalo. I am SURE we could all use improvements to our sections of the city! I truly believe if this project goes forward I will be correct in labeling New York State RACIST. New York State is only investing in the predominately black section of Buffalo (EAST Side) and turning it's back on the remaining three sections, West,South and North sections of Buffalo. STOP THIS STUPIDITY !
Name
Joel Peacock
Email

Date
11/10/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Maia Peck
Sent: Thursday, October 26, 2023 5:21:44 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Peck, Maia
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: NO CAP ON THE EXPRESSWAY! Return Kensington to a parkway with soil depth able to accommodate trees, pedestrian and bike friendly lanes, amble parkway space to create a sustainable neighborhood. Be more proactive in involving members of the surrounding community. Don't pollute the neighborhood - make it green/restore the Olmsted parkway design.

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From:	Lorna Peterson
To:	
Subject:	Completely restore Humboldt Pkwy
Date:	Friday, October 27, 2023 1:22:44 PM
Attachments:	Kensington Expwy Olmsted Conservancy rips plan 102723 A1 653aec53a4545.pdf Kensington Expwy Olmsted rips plan 102723 A4 653aec56bb4b8.pdf

Give us back all of Humboldt Pkwy. A tunnel and a patch of grass is an insult. Olmsted's masterpiece was destroyed for suburban commuters. Money was no object to demolish homes, destroy communities, and ruin Olmsted's masterpiece. Now it can be fixed and we are offered a cheap, insufficient patch job. Go back to the drawing board please. Your plan is not good enough. And thank goodness the Buffalo Olmsted Parks Conservancy had the good sense to tell you so. Please restore the complete parkway system! Thank you for extending the comment period.

First Name *

Lorna

Last Name *

Peterson

Address

City

State

Zip

Phone Number

Email *

Click here if you want to be included on future project updates

Affiliation

Linwood Historic District

From: Sean Piazza
Sent: Tuesday, October 24, 2023 5:50:05 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Piazza, Sean
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: While changes are desperately needed to the freeway - a major mistake in Buffalo - the current plan fails on two fronts.

First, it doesn't respect the design of Olmsted's Humboldt Parkway, and misses an opportunity to fill in a signature boulevard that would enrich the lives of those on, or near, Humboldt Parkway.

Second, it is an expensive band aid, and does little to minimize environmental impacts the Kensington has inflicted upon neighborhoods across generations. This should be an opportunity to connect the city door-to-door with the airport / I90 with public transit (metro rail).

Both would increase the value of homes owned by those directly impacted by this expressway, to whom a great debt is owed by our government.

With the Infrastructure Act, IRA and other federal interventions, crafted with a dedication to fighting racism & environmental impact as part of both, there must be something more transformative that can come of this.

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From: Alok Pinto
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway public comment
Date: Wednesday, October 25, 2023 12:49:24 PM

I grew up in WNY, and like many who grew up here in the 80s and 90s, and had the opportunity, left for college and to start my career. I've been back, living in Buffalo, for about a decade. Very little has changed. In the almost 40 years since my family first moved to this city, there have been 3 mayors, and zero progress on most major infrastructure needs in the city of Buffalo itself.

When I look at a project like this, I have to ask: what is the goal of the project? Well, that's simple enough to outline, the DOT has provided it in the Project Scoping Report from Dec '22: "The purpose of the Project is to reconnect the community surrounding the defined transportation corridor and improve the compatibility of the corridor with the adjacent land uses, while addressing the geometric, infrastructure, and multi-modal needs within the corridor in its current location." This is just a fancy way of saying you want to right the historical wrong that was the building of the 33 in the first place - but you want to do it without sacrificing the commute and traffic concerns of suburbanites. You further laid out 4 objectives to achieve this, I'll focus on the first two: 1) to "Reconnect the surrounding community by creating continuous greenspace to enhance the visual and aesthetic environment of the transportation corridor," and 2) "Maintain the vehicular capacity of the existing transportation corridor." These are not two objectives in line with each other. In fact, the second goal, to "maintain vehicular capacity" is a direct limit on the primary goal. I say primary goal because the second objective is not, and should not be a goal of this project: if the main goal was to maintain vehicular traffic - we would simply do nothing, and leave the 33 as it is. **As such, any change to the 33 is about achieving the restorative justice of correcting the initial wrong of building this highway in the first place**. This secondary limit has narrowed the scope of this project from the outset, and belies a serious lack of vision and leadership. It compares concerns about traffic in a city with minimal traffic problems and finds them equally valid to the socio-economic and environmental health problems caused to the East Side, which is morally repugnant. This second "objective" only exists to dismiss concerns about why this project doesn't go far enough. In fact, if you look at the public comments from last year's info session, and the DOT's responses, it is that second objective which is continuously used to reject the majority of comments, including my own - which called for the full removal of the 33. No one has asked why this goal exists. When I was here last year for the public information session, 10 options were "available," but the presentation and concepts on display all ignored the 10th, full removal - all in the name of traffic concerns. This of course ignores that highways across the country, including

in our neighbor city of Rochester, have been removed and proven to be traffic calming measures, and better for neighborhoods. Traffic in Buffalo is already a miniscule problem, as anyone who has lived in other cities could testify. In the 16 years where I was gone from Buffalo I lived in places like Boston, NYC, and Baltimore, which have real traffic concerns. I lived in Boston during the Big Dig, a project similar in idea to this, but much larger in scope, which went over budget by billions and over-schedule by years - but at least that project truly buried the I-90 and I-95 so real greenspaces and neighborhoods could be restored above them. Such a partial-measure here in Buffalo has no hope of achieving the primary goal of this project. Removing the 33 not only potentially calms traffic, but could lower car use, and increase demand for public transportation, expanded and more safe bike and pedestrian conveniences, and other priorities the city needs to focus on. Furthermore, the proposed solution of this project, as it stands, offers worse air quality at the ends of each cap, and NYDOT has claimed it needs to do nothing because it meets outdated EPA standards. It offers no air scrubbing, and instead relies on maintained specialized paint jobs at each end of the cap to absorb pollutants, and an eventual hope we transition to more electric vehicles. If any of you knew how horrible the city of Buffalo was at maintaining anything, you would know this is not a good solution. As far as I remember, the support offered by previous community groups was contingent on that air filtration, as their main concern has been the air quality leading to negative health outcomes along Humboldt Parkway - which, btw, also meet the EPA's failing and outdated standards.

There is, however, a larger issue at hand, and it may be beyond the duty of the DOT itself, and reflects a lack of leadership among local policy makers and executives. It is essentially a moral question: why must we compromise justice with concerns about inconvenience? Why must the East Side compromise in rectifying this wrong for the commuting concerns of suburbanites who rarely give a thought, let alone a penny, for this community? How much longer can the commute be? How can that compare to environmental and socio-economic justice for the East Side? Why are they considered equal concerns? To compromise a righteous idea with a wrong-headed one leads to a lack of justice. This is not an incremental progress issue. The building of this highway has been considered a generational mistake - to keep it would be a second, one our children and grandchildren will continue to pay for. Some of the folks I've talked to about this issue have said "we can't do anything about this, this project is going to happen, so complaining about it is ineffective or even harmful if it stops the project." Normally, I'm all for taking small steps - in Buffalo nothing happens fast. But I disagree that stopping this project would be harmful, because this very project threatens further progress. This is a huge step, a billion dollars, and doing this project will allow the state of NY to wash their hands of the issue for another 50 years until our grandkids are in front of your successors asking once again for you to remove this highway. Once the cap is built, and one billion dollars spent, no one will entertain the idea of reversing it seriously for generations.

If this is truly the city of Good Neighbors, It would be hypocritical for our suburban neighbors to demand their convenience be placed in balance with the social, environmental, and economic restoration of the East Side. This may have been a job for our local representatives to have raised earlier - but as usual, they have failed. While perhaps our local State Reps, Senators and County officials serve a wider constituency, they once again choose to favor the wealthy over the working class. And in the city itself, neither the mayor nor any members of the Common Council have advocated for full removal. From the outset, it is our leaders who should not have been so callous in accepting these compromises without any pushback. But of course, we know why they didn't - a billion dollars of construction contracts are at stake for their big developer friends and patrons. It is interesting to me that these politicians are rarely seen at events like this, but came out in force during a private (but televised) event with Secretary Buttegeig of the Department of Transportation. We deserve better from them. But we can no longer wait for them to do their job.

At this point, I'd like to ask the question to any residents of the East Side concerned about this project. I know there has been sentiment in your community to get something done on this issue. Some of this community's elders have been working on this issue for literally decades, and there is a fear that if the East Side doesn't go along with what the powers-that-be want (which include our wealthy suburban neighbors), nothing will happen, that suburban counterparts will gum up the process and ultimately destroy it. When I said earlier that I grew up in WNY, I should expand on that: I grew up a brown immigrant kid, in Tonawanda, and then Amherst, two of the Northtowns suburbs that the 33 serves. I can understand the hesitancy to speak out against former sundown towns like the Town of Tonawanda. When I went to high school in the city, my school bus rolled right down the 33, and the 33 achieved its purpose: I was shuffled right by the East Side without having to think or concern myself about it at all. That is its purpose. To allow Northtowns suburbanites to ignore and bypass the East Side, just like the City itself has done for decades. And let's be clear: the 33 serves the needs of the suburbs, not the residents of the city itself. **If the East Side wants full removal, and the restoration of Humboldt Parkway, that's what should happen, without compromise.** The desire for an easier commute pales in comparison. For 1/10th of the cost, and a fraction of the time, the 33 can be removed. That other 9/10ths of a billion dollars can and should be used for the reinforcement of other arteries into the city, including the East Side, revitalizing city neighborhoods and businesses with integrated bike and foot traffic, and ending the blight that this highway has been on the community for 65 years. If the citizens of Tonawanda, Cheektowaga, Amherst, etc, want to raise a fuss about a proposed removal, I will stand with you, as their former neighbor, in their Council meetings, to remind them that a good neighbor is not an abusive neighbor. If they would continually use their #OneBuffalo and #JeffersonAveStrong hashtags, they need to be reminded that this project is not about their wants, but what the East Side needs. The East Side must no longer be ignored. The 33 should be fully removed, and Humboldt Parkway should be restored to the vision of Frederick Olmstead. That is the only just solution this project can offer.

Alok Pinto
Buffalo, NY

-----Original Message-----
From: Larry Powenski < >
Sent: Saturday, October 28, 2023 6:19 AM
To: >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Powenski, Larry
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I believe it is huge waste of money that can allocated elsewhere. Specifically the number of bridges throughout our area that are in desperate need of repair or replacement.

* this email was generated by kensingtonexpressway.dot.ny.gov

Sent from my iPad
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From:
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project - Public Comment
Date: Friday, November 10, 2023 2:10:39 PM
Attachments: Kensington Expy NYS RT 33 Project - Public Comment 11-10-23.pdf

Dear NYSDOT Kensington Expressway Project Team:

Please see the attached Public Comment letter to your proposed Tunnel Project.

Thank you,

John Q. Public

November 10, 2023

Kensington Expressway Project Team
NYSDOT Region 5
100 Seneca Street
Buffalo, NY 14203

Re: PIN 5512.52, NYS Route 33, Kensington Expressway Project, City of Buffalo, Erie County, New York
(a.k.a. THE BILLION DOLLAR BOON DOGGLE PROJECT)
Public Comments

Dear Kensington Expressway Project Team:

Who's brilliant idea was this to start & fund this project before asking the citizens of New York State if they wanted to waste a Billion taxpayer dollars on this irresponsible project? Instead of having the citizens of our state to decide on two (2) innocuous referendums about extending credit to per the state constitution (our freaking state legislator could make this decision without our input), WE THE PEOPLE of New York State were denied the opportunity to vote on a referendum to decide if WE want to spend a Billion dollars of OUR tax dollars on this or any other project with such a huge cost to the taxpayers. The decision to go forward with this project is NOT to be made by the Governor of the State, the NYS Legislature, the NYSDOT or the Federal DOT without the citizens of this state. And don't blow smoke up our collective butts saying, "Oh we had public hearings and we listened to the public on what they want". This is so much BS and the NYSDOT knows it all too well by how they calculatingly announce the public hearings very close to the meeting dates AND the times of the meetings were schedule during the business day & work hours. These two factors are specifically designed to limit the working citizenry from rallying and attending the public hearings and to limit any large contingent of citizens from attending these meetings. This practice specifically limits a large number of negative comments by the public to this and all other NYSDOT projects. You must really think "We the Public are stupid deplorables" to continuing to set public meetings up in this manner. Currently, we are helpless to do anything about this. If we only had time to stop working everyday to provide for our families to attend the public meetings or to write a letter to the NYS Legislature to BEG them to write a law supporting the public in these matters. Wow, what are the odds that will happen in my lifetime, if ever. I won't hold my breath because I will probably be dead IF that would EVER happen. We the public are not receiving fair treatment from the NYSDOT. This is like games at the Erie County Fair, good luck chuck, they are rigged making it difficult to win, but in the case of the NYSDOT it is impossible to win! This is really funny me thinking that this letter to you will make any difference whatsoever in stopping this enormous waste of taxpayer dollars, because by law you must hold public meetings, you have to listen to us, but you will not seriously consider canceling a project. I do not know if any NYSDOT projects that were cancelled due to the public's outcry to stop them. Please enlighten me if I am incorrect.

So, on the face of it, this project lacks fairness and does NOT treat all New York citizens equally. Okay, the project concept is the make up for the "Sins of our Father's" who split these neighborhoods in two 70 years ago in this specific area only. The NYSDOT will mend a two small neighborhood back together. You know the people in these two neighborhood have been waiting some 70 years for this to happen and they cannot wait until you mend their neighborhoods back together again, then can join hands and sing Kumbaya! I have a news flash for you, um, like NO, they are not! They have either moved away or have died away to the point where this "Old Community" no longer exists! Are you kidding? This project is preposterous and has no merit! The NYSDOT compiled a super sweet, 347 page Transportation Project Report, Draft Design Report Environmental Assessment studying every aspect of this project, and spent (already wasted) a million dollars (plus I think) and employed and army of consultants to make this very professional document to say what they want to win over the public support for this project.

Now to be fair to ALL the citizens of New York State, you need to create Draft Design Project Reports for new projects like this one to mend all other "Communities" back together on the rest of NYS Rt 33 Kensington Expressway, and the entire length of the NYS Thruway and any other expressways that split communities when these highways were built. I understand the NYSDOT has no judication over the NYS Thruway, but you get my point I'm making.

The Taxpaying Citizenry of New State charges that the NYSDOT does not have a rational justification to spend a billion taxpayer dollars to mend two small communities' back together. This project is an irresponsible waste of taxpayer dollars with no real tangible benefit to the "Community" or the Citizens of New York State, this Project must be CANCELLED.

Cordially,

John Q. Public
Taxpaying Citizen of New York State

From: Michael Puma
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project Comments
Date: Friday, November 10, 2023 9:16:37 PM

To Whom it May Concern,

I am a homeowner and small business owner in the Hamlin Park neighborhood, writing regarding the proposed cap for the Kensington Expressway proposal.

Very early into the process, I started attending some of the first meetings at the Buffalo Science Museum with the small group that started this initiative when Clark Eaton was still alive. Clark was a long time Hamlin Park resident and advocate, who had been pushing to address the Expressway for decades, advocating for investment in Jefferson Avenue since the late 1960s, and so many other worthwhile causes for the community.

I have a great amount of respect and admiration for so many of the people involved in bringing this project forward to a place where it may be a reality. Stephanie Barber-Geter is someone I look up to as a great community organizer and leader. She has been instrumental in keeping Hamlin Park safe, stable, and beautiful, building on the legacy of other leaders in the neighborhood before her. There doesn't seem to be a single important initiative or movement for Hamlin Park and the greater east side that she hasn't tirelessly advocated for over the years, she is truly one of a kind and we're so lucky to have her.

That's why with all the respect and admiration I have for the leaders who have taken this project this far, it is difficult to write in strong opposition to it as currently envisioned.

Nothing but the removal of the expressway and a true restoration of Olmsted's grandest parkway in Buffalo will be acceptable. The cap is nothing more than a partial aesthetic fix, not addressing the underlying damage the expressway has done to the surrounding communities since its inception. Given the ever shifting priorities of changing administrations and the location of Scajaquada Creek, I don't think anyone truly believes we'll ever see another phase of the cap to put more of the parkway back beyond what is proposed.

Suburban commuters who utilize the expressway and don't live within the City of Buffalo do not "pay the true cost" of what that expressway has done to these neighborhoods and people. The Kensington Expressway is a large part of what made it easier for the city to clear out and for rampant suburbanization and sprawl to continue to this day.

The negative health ramifications of adjacency to the highway with fine particulate matter pollution are well known, especially to those who live directly on the expressway where respiratory illness and cancer is prevalent among most households. Look no further than the previous studies done in the neighborhoods here or even the great research done about the fine particulate matter pollution in the neighborhoods adjacent to the I-190 and Peace Bridge.

Removal of the parkway for the expressway has eroded millions of dollars in home equity and value. Home values are the main drivers for long term family wealth and the expressway has carved out so much unrealized value for far too many families during its existence. Look no further than comparably sized and detailed homes on the other parkways within Buffalo. So many of them are equivalent to those along the former parkway and within the surrounding neighborhoods, but the expressway has, and continues, to drive down true value.

It's well documented that black households have been unable to accumulate generational wealth at the same rate that white households in our country's history because of a number of racially motivated policies and restrictions. Given that most of the neighborhoods around the expressway are black, including Hamlin Park, the expressway is yet another hurdle to try and close this gap. Its continued existence is unacceptable for so many reasons, but there is a larger racial and economic justice component to this that must be considered.

A speedy commute is not a guaranteed right, especially at the expense of others. The perpetuation making it easier for those who do not live in these neighborhoods, nor the city itself, at our expense must stop. Given the changes since Covid with so many more people working from home, that needs to be taken into consideration for why we should even still have the expressway. The downtown office market continues to reel from the shift to working at home, with no sign of changing any time soon. Who are we even preserving this outdated expressway for at this point?

The economic benefits being touted here are being oversold. If commuters can continue to bypass the neighborhoods and their commercial corridors with the cap approach, we're not going to see a renewed Jefferson, Fillmore, etc. There will likely be some value added for the homes that will be on the small portion that gets the cap, but other than that the extent of positive economic impact being pitched is disingenuous. Just because one-third of the expressway would be capped with a sad facsimile of Olmsted's original vision for Humboldt Parkway does not mean we'll see massive reinvestment rippling through and beyond the neighborhoods.

If there are more daily trips made on these once thriving, but now struggling commercial strips, the likelihood of economic activity and storefront revitalization increases far more than what just the cap can do. While it may be counterintuitive to an agency like the NYSDOT, traffic does not have to be a bad thing. More commuters through commercial corridors greatly increases the chance of planned or spontaneous stops to shop and put money back into the immediate community and

businesses.

Buffalo is a city built and planned for over a million people, but our city only has a third of that population. While the population of Buffalo never hit the million mark, it's still here, but just sprawled further out. Erie County has averaged around 1.3 million people, including the city, for the better part of the expressway's existence.

The road infrastructure to support a million people existing within the city limits, specifically Ellicott's radial plan, remains largely intact and should be utilized. Strategic reinvestment in the radial streets to serve as a multitude of alternative routes into the core of the city in conjunction with mass transit improvements can help alleviate the loss of the expressway. The potential economic spin off of reinvestment in commercial activity on the radial streets and surrounding neighborhoods cannot be ignored as a viable option here.

To quote an article about the history of the Expressway from 2010, "Sixty-two years ago, William Gallancy, an associate engineer with New York State's Department of Public Works, told a standing-room-only crowd at St. James Evangelical and Reformed Church on High Street that the Kensington Expressway was the best solution to East Buffalo's problems.

Traffic congestion on the neighborhood's thoroughfares was bad and getting worse, he explained. "Gallancy said 70,000 vehicles a day cram that section's main arteries —Main, Kensington, Genesee, Bailey and Walden," according to a Buffalo News account of the meeting. "And, he added, the growth of suburbs and congestion of traffic continues to increase at a tremendous rate."

Pre-Covid, the DOT ironically mentioned that the Kensington on average carries 70,000 vehicles daily. Now imagine people using the gift that Joseph Ellicott gave us with the radial streets and other routes. Traffic on these streets doesn't have to be bad, in fact it can be a huge boon. More traffic in commercial corridors increases the convenience of people stopping for things they need in their daily course of living. The cap option just allows the same cars to bypass the commercial districts the Kensington helped to ruin.

It's also well documented that when major roads like the Kensington Expressway are removed, people find alternative means of getting to their destination without Carmageddon happening. One-third of all traffic just simply vanishes as people look to use alternative methods of transportation or different routes.

A dry run of this can be performed by shutting down the Expressway for any length of time, with much advance warning and advertisement. Alternative routes can be provided from several starting points in the great region and traffic counts can be measured to see where it all ends up.

The Expressway will have to be partially shut down during construction anyway, why

not do some real world testing in advance? Assuming the project takes at least two years, that traffic needs to be diverted somewhere else and people would be encouraged to take alternate routes.

The no / low cost solution to figuring out where traffic would go and how people would commute is just to shut the Kensington down for a few weeks or months and evaluate what happens. This should be in conjunction with a heavy media campaign alerting people well in advance and providing alternate routes along with estimated travel time increase times in advance of the dry run shut down.

Couple that with some heavy duty data collection about traffic flow on radials and other alternate routes before, during, and after the shutdown. From there, we would all have a pretty good idea of how people are getting downtown without the Expressway and confirmation that Carmaggedon is a myth.

Just take for example travelling on the Kensington Expressway from the core of downtown to the Airport. You can do the same thing on Genesee Street, which follows pretty much the exact same trajectory of the Expressway. On a typical day, taking Genesee Street is an extra five minutes at most, maybe an extra 10 to 15 minutes on a bad day. That is just one several radial streets that could be used to distribute Kensington traffic as they did before.

Another consideration would be the expansion of Metro Rail utilizing the existing ROW that the expressway already occupies. It would touch through so many underserved neighborhoods and into the eastern suburbs, even the airport. It could run quietly underground, without pollution or large filtration structures, below the restored Humboldt Parkway. The most expensive part of expanding Metro Rail is acquiring the easements and land in addition to the excavations for an underground expansion. The hole is already dug, it just needs to be filled back in with a tunnel for the train beneath it.

As a professional in historic preservation, we begrudgingly joke that history is always repeating itself and we often make the same mistakes. While this is an often repeated trope, it is repeated so often because it is true so much of the time. Constructing the cap instead of putting back the true parkway is just another version of the events that happened to precipitate the expressway in the first place. We’re being sold a bill of goods that promises to make things better, but will come up short and we’ll look back on it as yet another mistake.

The lengthy report that was issued about the project makes it clear that another aspect of history will be repeating itself, the use of blasting equipment. Hearing the horror stories from longtime residents of the blasting effects and long term impacts from the original construction cannot be allowed to be repeated.

This is especially important as there are no funds identified for the repair of damaged homes because of the blasting / new construction. Here is history repeating itself

once again with homeowners left to figure it out for themselves so commuters can still get into town as quickly as they like.

This is a once in a generation, maybe even a few generations, to get this right and the cap is not the solution. A true restoration of the Humboldt Parkway in conjunction with infrastructure investments in the radial streets is the only path forward. It's a solution where we will all look back at this moment in time and say, "Buffalo finally made the right choice for a change."

From: Alicia Quebral
Sent: Friday, November 10, 2023 3:50:43 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Quebral, Alicia
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: At a minimum, the communities along the Humboldt Parkway deserve a Environmental Assessment and a Community Benefits Agreement; an EIS alone is insufficient, not enough time has been given for the public to digest the information since it's publication just 2 months ago, and legitimate concerns have been raised about the methods and conclusions of the DOT's EIS report.

The insistence from the beginning of this project that it must "maintain vehicular capacity" is pandering to commuters in more affluent, often majority White suburbs and ignores the needs of East Side neighborhoods who are those most harmed by the intentionally racist destruction of the original Humboldt Parkway. The full restoration of the original Olmsted Park System and the true reconnection of East Side communities are only possible through full removal of the Kensington. Removal would be cheaper for taxpayers, especially considering there is no plan to pay for the $5m a year in maintenance for a partial cap.

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From: Maria Quebral
Sent: Friday, November 10, 2023 5:22:44 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Quebral, Maria
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I'm imploring you not move ahead with the Kensington Expressway Project. Please take a step back and see the real people this will affect: the families in their homes in neighborhoods that are already riddled with drugs, crime, violence, poverty. Our city is hurting, has been hurting - please please do not add to the hurt for the sake of suburban commuter convenience. Please do not take away the possibility of ever fully reconnecting the Olmsted Parkway. Be the City of Good Neighbors. Be Buffalo.

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-----Original Message-----
From: Kiera Quinlivan
Sent: Thursday, October 26, 2023 12:26 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Quinlivan, Kiera
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Clean Air Coalition
Comment: As a proud member of the Clean Air Coalition, I echo their calls for an extended comment period, a Full Environmental Impact Statement, and further air quality monitoring. As Humboldt Parkway community members and the Restore Our Community Coalition have long emphasized, the Kensington Expressway has contributed to decades of racial inequality, and the project needs to ensure that the needs of the community are being met every step of the way.

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From: Susan Rademacher
To: dot.sm.kensingtonexpressway
Cc: DOTExecSec@dot.gov; kennedy@nysenate.gov; peopleC@nyassembly.gov; Prockup, Jessica (DOT)
Subject: Kensington Expressway Project
Date: Tuesday, November 7, 2023 3:54:04 PM
Attachments: image001.png
image004.png
23-1107_Humboldt Pkwy.pdf



RIVER HERITAGE
CONSERVANCY

November 7, 2023

Mr. Sanjyot Vaidya, Project Manager
New York State Department of Transportation, Region 5
100 Seneca Street
Buffalo, N.Y. 14203

Dear Mr. Vaidya:

Humboldt Parkway, a key component of Buffalo's famed Olmsted park system, is at risk of losing a restoration opportunity forever. In the early days of the Buffalo Olmsted Parks Conservancy, I was engaged in its planning efforts due to my role as President of the Louisville Olmsted Parks Conservancy and Board member of the National Association for Olmsted Parks. I vividly recall seeing the yawning gap in the City's interconnecting parkways and hearing discussions about the potential to cap the Kensington Expressway, regain greenspace, and reconnect neighborhoods.

Recently, I was elated to hear that the State of New York was undertaking this project. Now I am alarmed to learn that design decisions are being made in the absence of studies that are required whenever federally funded alterations are being planned for National Register properties. Research has shown that remnants of Humboldt Parkway remain, and that much more research is needed.

Because the current plan for NYS Route 33, Kensington Expressway Project (PIN: 5510.51) would have significant cultural and/or environmental impacts, an Environmental Impact Statement (EIS) is required. The EIS should include a traffic study of Buffalo and radial streets, an air quality study for the East Side, and an evaluation of commuting trends. A Cultural Landscape Report (CLR) for the historic Humboldt Parkway should also be undertaken. These two studies would identify potential adverse effects, define appropriate treatment, and inform management and investment decisions.

Going without these reports will ensure that reviewing agencies and decision makers lack sufficient context and understanding for determining the appropriateness of capping the Kensington Expressway. As for all significant projects, full design options for rehabilitating Humboldt Parkway should be developed with community participation.

Sincerely,

Susan M. Rademacher
Executive Director

Cc: Matthew Seymour, Hon. Pete Buttigieg, State Senator Tim Kennedy, Assembly Member Crystal Peoples-Stokes, U.S. Senator Schumer, U. S. Senator Gillibrand, N.Y. Governor Kathy Hochul

P.O. Box 466, Jeffersonville, IN 47131-0466 · (812) 786-3420 · riverheritageconservancy.org



Susan Rademacher
Executive Director, Origin Park
129 E. Court Ave., Jeffersonville, IN
812.483.3553 (Office)
srad@riverheritageconservancy.org
http://www.originpark.org

A Project of River Heritage Conservancy

RIVER HERITAGE
CONSERVANCY

November 7, 2023

Mr. Sanjyot Vaidya, Project Manager
New York State Department of Transportation, Region 5
100 Seneca Street
Buffalo, N.Y. 14203

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Sincerely,

Susan M. Rademacher
Executive Director

Cc Matthew Seymour, Hon. Pete Buttigieg, State Senator Tim Kennedy, Assembly Member Crystal Peoples-Stokes, U.S. Senator Schumer, U. S. Senator Gillibrand, N.Y. Governor Kathy Hochul

P.O. Box 486, Jeffersonville, IN 47131-0486 • (812) 786-3420 • riverheritageconservancy.org

From:	on behalf of Bernice Radle
To:	dot.sm.kensingtonexpressway
Subject:	Kensington Expressway Project
Date:	Wednesday, October 25, 2023 8:02:40 PM

[You don't often get email from Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mrs. Bernice Radle

From:
To: dot.sm.kensingtonexpressway
Subject: Proposed Kensington Expressway tunnel comment
Date: Friday, November 10, 2023 3:55:45 PM

I am opposed to covering a portion of the Kensington Expressway at a cost of nearly $1billion. Tunnel maintenance costs, who will bear responibility for them and environmental impacts of possibly poor maintenance if revenues fall short are not accounted for. The release of automobile exhaust at both ends of the tunnel will be concentrated during rush hours and could pose environmental risks. The idea that trees will flourish in three feet of soil leads me to believe they are not the variety of majestic trees that once lined Humboldt Pkwy and will not contribute to the environmental vision of Buffalo that residents have come to expect. Restoration of Humboldt Pkwy to once again fulfill Olmstead's vision of the best-designed city in the country has never been considered and should be. Buffalo deserves better.

Mary Rafalski

NYS ROUTE 33, KENSINGTON EXPRESSWAY PROJECT
P.I.N. 5512.52
COMMENT FORM

Name: Patrika Reid Affiliation (if applicable): _____

Date: 10/20/23

Address: _____

Phone Number: _____ E-mail: _____

COMMENTS*

Stop the expressway project.

Any information provided on this form will be considered in the Environmental Document and may become part of the project file, which is a public record.

You may submit your comments by U.S. mail (see pre-addressed mailer on reverse side), or by e-mail to: kensingtonexpressway@dot.ny.gov

NEW YORK STATE OF OPPORTUNITY | Department of Transportation

U.S. Department of Transportation Federal Highway Administration

From: Kyle Renda
Sent: Friday, November 10, 2023 2:51:18 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Renda, Kyle
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This should not and cannot happen. The process of making this tunnel will put multiple communities at risk of being sick due to the exhaust that will be made. You are putting peoples lives in danger to even be considering this.

If this tunnel is approved, many lives will be forever altered and the ones responsible will be held liable and their own lives ruined.

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Sent from my iPhone
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From: STEVEN RICHARDSON
To:
Subject: KENSINGTON EXPREESWAY PROJECT
Date: Friday, October 27, 2023 9:47:53 PM

FIRST AND FOREMOST IT'S NOT GOING TO BRING TOGETHER THE COMMNITY BECAUSE ITS A NARRATIVE THAT MOST PEOPLE WHO LIVE IN THIS AREA DON'T AGREE WITH.
I REMEMBER AS A KID WHEN IT WAS TUNNELED THE DUST ON MY AUNTS CAR AND HOW UPSET SHE WAS OF THE DUST AND THE NOISE THE TRAFFIC PROBLEMS.
I THINK IT SHOULD BE FILLED IN AND USE THE OTHER FUND TO REPAIR THE STREETS WHICH ARE LACKING CURBS FROM PILING ASPHALT EVERY FEW YEARS. SOME STREETS HAVE WATER COMING ON THE SIDEWALKS BECAUSE OF THE CONSTANT LAYERS OF ASPHALT.

From: sara riggie
Sent: Saturday, October 21, 2023 11:34:57 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Riggie, Sara
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I live in Tonawanda and work downtown and occasionally use the 33 to get to work/home. However, car traffic shouldn't be the first priority. The 33 should be removed and returned to its original state as a parkway. That's the only way to truly restore the community.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Andrew Roaldi
Sent: Wednesday, October 25, 2023 10:11 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Roaldi, Andrew
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Nearby Homeowner
Comment: I strongly believe that more study needs to be done into the possibility of removing the highway entirely and streamlining the existing radial streets that are extremely underutilized. For a fraction of the cost the neighborhood could truly be knit back together and restore to its former state and the money could then be used to improve the other main arteries leading into downtown including signal improvements to improve traffic flow. Additionally the funds could also help improve the infrastructure on surrounding streets and encourage new development and growth on the East Side. This project is an overly expensive band-aid that will make a small section better but not truly improve most of the surrounding area. The complete removal of the highway and recreation of Humboldt Parkway is long overdue and would show a truly forward looking city committed to doing right by all its citizens.

* this email was generated by kensingtonexpressway.dot.ny.gov
Sent from Mail for Windows

From: Joshua Robinson < >
Sent: Thursday, November 2, 2023 7:39:12 AM
To: >
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Robinson, Joshua
Address:
Phone
Email:
Include on future project updates: NO
Affiliation:
Comment: Much like the previous project for Route 198, this Kensington project has been working from the wrong premise of preserving vehicular capacity in a corridor, which has led it to the wrong conclusions (in spite of the good intentions of the parties involved).

While capping a section of the 33 would lead to aesthetic and quality of life benefits for some residents, it would be worse than the status quo for others (especially those at either end of the tunnel who will be breathing in the exhaust plumes), and it would preserve a six-lane highway and associated maintenance for generations to come.

For a fraction of the cost of the cap, we could terminate Rte 33 at the 198 junction and fill in this trench, thereby fixing a historic wrong and restoring Humboldt Pkwy for generations to enjoy. We could also return commuter traffic to the radials, where business dried up due to a lack of customers. The radials would feature synched traffic lights (as Rep. Higgins suggested) to improve flow.

* this email was generated by kensingtonexpressway.dot.ny.gov

From:	Terrence Robinson
To:	dot.sm.kensingtonexpressway
Cc:	
Subject:	Comments DDR/EA
Date:	Friday, November 10, 2023 11:41:45 PM
Attachments:	TERRENCE A.docx

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Thank you

TERRENCE A. ROBINSON

November 10, 2023

Kensington Expressway Project Team
NYSDOT Region 5
100 Seneca Street
Buffalo, NY 14203

Dear Project Team:

In accordance with the National Environmental Policy Act (NEPA), the New York State Environmental Quality Review Act (SEQRA), and related laws, statutes, rules, and regulations, after careful review and consideration, I respectfully submit the following comments regarding the Draft Design Report/ Environmental Assessment (DDR/EA) published September 12, 2023, of the New York State Department of Transportation Project - 5512.52 Kensington Expressway Project:

1. The DDR/EA is a report engineered by the New York State Department of Transportation (NYSDOT) to support the Department's preferred alternative for the Project,
2. The "No Build Alternative" for the Project is not a legitimate no build comparison, since it proposes substantial annual manual maintenance costs for repair of unsafe, decrepit infrastructure well beyond their established service life until eventual replacement – it is a "build later" alternative.
3. The "No Build" Alternative is used consistently throughout the DDR/EA as a baseline to compare environmental data with prospective future build environmental data.
4. The co-lead agencies have failed to perform a competent Section 106 review in accordance with the National Historic Preservation Act (NHPA) that evaluates the historic resources in the area affected by the proposed project.
5. There are discrepancies in the evaluation of 4(f) and 6(f) properties within the project area.
6. The proposed Project disconnects the adjacent Disadvantaged Communities within the transportation corridor from access to the Rte33/Kensington Expressway.
7. The proposed Project is not consistent with Local Development Plans that focus on the restoration and development of the Olmsted Parks and Parkways System as an engine of tourism and economic development.
8. The proposed Project is not consistent with best practices for, Combined Sewer Overflow, regional watershed restoration, or other climate resilient efforts.
9. The proposed Project leaders have rejected coordination with regional transportation initiatives on the 198 Scajaquada Expressway (Greater Buffalo Niagara Regional Transportation Council (GBNRTC), the Greenway representative on the Section 106 Committee, and there is no record of City of Buffalo involvement in Historic Resources matters.

10. There is no evidence in the record of epidemiological consequences of the Project.
11. The dubious evidence in the record (Appendix A7 of DDR/EA) of the Smart Growth compliance is unsigned and undated.
12. Required consulting parties and coordination do not appear in this record.
13. The Record is rife with omissions, inaccuracies and discrepancies that undermine the credibility of the Report's recommendations.
14. The arbitrary and capricious findings within the Report in support of a finding of no significant impact, under the circumstances, are incredible.
15. The lead and/or participating agencies have failed to take the hard look at potential short- or long-term environmental impacts required by state environmental law.
16. Communities directly affected by the construction and environmental affects of the proposed Project are entitled to equal protection of the law in all regards to the process involved and its consequences.

Respectfully yours,
Terrence A. Robinson

From: Tony Rogers
To:
Subject: Opinion
Date: Thursday, November 2, 2023 8:19:56 AM

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I do not believe the cost of the project is offset by the limited area effected. The overall results of the project will not change the ravages that we're done to Humboldt Park.
Tony Rogers

Sent from my iPhone

From: CBRESQ
To: dot.sm.kensingtonexpressway
Date: Friday, November 10, 2023 9:08:38 AM
Attachments: buffalo.pdf

Please consider the attached document.

Caryl B. Rossner

- [x] I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers
- [x] I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates
- [x] I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment
- [x] I do NOT want this expressway to cut through our neighborhoods—it should be removed
- [x] I DO want improved air quality for all Humboldt Parkway and residents and neighbors, in order to provide a healthier future for our children and grandchildren
- [x] I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to "build" and "no build," including expressway removal
- [x] I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process
- [x] I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park

NAME: Caryl Rossner ADDRESS: _____

DATE: 11/9/23 PHONE: _____ EMAIL: _____

From:	Vision Niagara
To:	dot.sm.kensingtonexpressway
Cc:	Hello MEDUSA; Maguire, Susan E; Evan Bussiere; Chris Platt; Dan Brady; Leslie Duggleby; George Johnson; David Rowe; maria sciortino; Renata Kraft; Tonya Davis; Anthony James
Subject:	NYS DOT Kensington Expressway Draft Report
Date:	Monday, November 6, 2023 11:57:48 AM
Attachments:	20231103 VN Kensington comments.pdf

Please see Vision Niagara's attached letter in response to the NYS DOT Kensington Expressway Draft Report.

Feel free to contact me if you have any questions.
Sincerely,
Barbara Rowe

Barbara Rowe / Vision Niagara president
A vision for Niagara Street: where we love to live, work, & play
Facebook • Twitter • Instagram • MailChimp

Add Vision Niagara to your calendar & join us for general meetings!

November 3, 2023

Ms. Sanjyot Vaidya, Project Manager
New York State Department of Transportation,
Region 5
100 Seneca Street
Buffalo, NY 14203

Mr. Matthew Seymour, Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Subject: PIN: 5512.52
NYSDOT Draft Design Report/Environmental Assessment (DDR/EA)
NYS Route 33, Kensington Expressway Project

Dear Ms. Vaidya and Mr. Seymour:

Please accept this letter as the representative comments from the board and membership of Vision Niagara.

Vision Niagara is a non-profit organization that actively participates in our city's rejuvenation, helping to shape and promote projects and activities that capitalize upon, promote, and protect Buffalo's rich historic and cultural heritage, abundant natural resources, significant location on international waterfront, and legacy of design excellence upon which the city of Buffalo was built. We are composed of residents, businesses, investors, and human services organizations and we work together with our brother and sister organizations to encourage and implement the revitalization of our city.

We have carefully reviewed the available subject documents and we are united with our colleagues and the project commentators who are disappointed in, and disagree with, not only the process undertaken, but also the current recommendations of this project.

It is an unfortunate repeat of history and a travesty to our community that the restoration of the incredible jewel that was the Humboldt Parkway, as designed by Frederick Law Olmsted, has been dismissed.

We stand in unison with all our colleagues on the Scajaquada Corridor Coalition who have worked so hard to remove the limited access roadways that negatively impact our urban core as we re-envision and restore the Scajaquada Creek corridor and our legacy parks and parkways which include the historic Humboldt Parkway.

We align ourselves with the East Side Parkways Coalition, Buffalo Olmsted Parks Conservancy, Citizens for Regional Transit, Preservation Buffalo Niagara, Clean Air Coalition, GObike Buffalo, a rapidly growing number of other organizations and numerous individual commentators, to oppose this project's audacious dismissal of the full restoration of the historic Humboldt Parkway.

This dismissal is documented in Appendix E2 - Summary of Public Comments Received: 8/8/2022 to 7/9/2023 which includes the following *(italics and underlined our own)*:

> **E2.13 FILL-IN / REMOVAL OF EXPRESSWAY**
> C13-1 Commenters asked if the full removal/fill-in of the Kensington Expressway could be studied and stated that other cities have removed major highways, resulting in improvements with no traffic problems. Commenters also stated that the maintenance of the six-lane Kensington Expressway preferentially benefits white suburban commuters at the expense of the residents living in the vicinity of the Kensington Expressway.
>
> R13-1 The removal/fill-in of the Kensington Expressway was considered. As documented in Section 5.2.10 of the Project Scoping Report, Concept 10, which involves removal of NYS Route 33 from the NYS Route 198 interchange to Goodell Street and *creation of a parkway setting along the route of the historic Humboldt Parkway, would not meet the project objective and associated screening criterion related to maintaining the vehicular capacity of the existing transportation corridor*. *Based on this, and concerns related to redistributing expressway traffic to local streets, Concept 10 was dismissed from further consideration.*

Vision Niagara agrees with commentator Greg Stubbs (Saturday, April 1, 2023 4:31 PM) who writes:

> 'The entire process conducted by the NYSDOT has been disingenuous from the beginning. They presented ten "alternatives". But set a project goal of "maintain the vehicular capacity of the existing transportation corridor". The Kensington is a six-lane expressway. By setting a goal of maintaining the vehicular capacity of the existing transportation corridor, the NYSDOT effectively eliminated nine of the ten alternatives from the very start. The "selected" alternative by default and of no surprise is capping less than a mile of the Kensington and maintaining the six-lane expressway. As documented in Section 4 of the Project Scoping Report (PSR), the potential social, economic, and environmental effects of the Project will be evaluated and documented in the Draft Design Report/Environmental Assessment for the Project, but only for the selected concept. The project goal of "maintain the vehicular capacity of the existing transportation corridor" should be eliminated.'

Mr. Stubbs entire point-by-point submission is excellent, and we wish to additionally highlight his comments that include:

> 'The cost to fill-in, restore and extend Humboldt Parkway (Concept #10) costs less than the Concept #9 multiway boulevard and is a fraction of the Concept #6 cap cost. It addresses the injury to the communities along the entire corridor that the Kensington has inflicted. The cost to

construct the cap is, conservatively, at least 14 times more than the cost of filling in and restoring the parkway over the same distance. The remainder of funding of $792MM ($855MM - $63MM) would provide for extending the parkway downtown. The balance of the funding could be invested in the major north-south commercial corridors along Bailey, Fillmore, Jefferson and Michigan and the radials renovating them as complete streets. The increased traffic flow would reinforce and support the East Side Collaborative Fund and the $65 million East Side Corridor Economic Development Fund that is in place to help revitalize the East Side with needed investment along the significant commercial arteries of Bailey, Fillmore, Jefferson and Michigan. These major avenues and the radials have more than enough capacity to compensate for the loss of the Kensington Expressway. The population of Buffalo before the Kensington Expressway was built had double the population it has today. An alternative would be to fund the extension of Metrorail to the airport.'

In addition, Vision Niagara heartily supports Buffalo Olmsted Parks' project comment statement (letter dated October 25, 2023) that says:

> 'We continue to declare that the restoration of the historic Humboldt Parkway (previous Option 10) is our preferred approach. We now realize that we have overwhelming community support in a "ONE ROAD NOW" concept that restores and reconnects the MLK Jr. Park with Delaware Park. We request that NYSDOT, FHWA and NYSOPR&HP initiate truly meaningful design discussions with the concerned organizations and community about this preferred approach.'

We also agree with commentator Robert Galbraith (comments included in the Appendix E2 Summary) who summarizes that the:

> 'DOT must give complete and fair consideration to removing the Kensington Expressway entirely and restoring the street grid that was destroyed to construct it for a number of reasons:
>
> 1. Removing the expressway is the only way to reduce automobile pollution and attendant disease in the neighborhoods on both sides of the expressway;
> 2. The Kensington Expressway was built for a city of twice the population that Buffalo currently has and maintaining its level of capacity is unnecessary;
> 3. Removing the expressway and restoring the former parkway is in far better alignment with state climate goals than preserving an urban highway for generations to come; and
> 4. Removing the expressway and restoring the former parkway will cost significantly less than constructing a tunnel, especially if air filtration is to be installed.'

Alongside our colleagues, Vision Niagara reiterates that this project's current objective, *to maintain the vehicular capacity of the transportation corridor*, undeniably rejects the one alternative that benefits our community the most.

This one alternative, **to restore Olmsted's Humboldt Parkway in its entirety**, is the only alternative that contributes to the reinstating of the splendor of our park system. It serves to reunite our neighborhoods, restore our damaged ecological resources, positively improve our health and wellbeing, enhance our regional assets, begin the healing of the wrongs of our past, promote the highest and best use of our financial resources, and ultimately, serves to protect our ability to move forward into the future in a manner that honors the spirit of civic design excellence.

Vision Niagara will only support efforts that will remove this limited access roadway entirely and that will fully restore and expand our legacy parks and parkways.



Barbara Rowe, Board President

Vision Niagara

info@visionniagara.org

From: Kearon Roy Taylor
Sent: Friday, November 10, 2023 4:13:38 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Roy Taylor, Kearon
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: University at Buffalo
Comment: I would like to condemn in the strongest possible terms the politically expedient half-measure of decking only part of the Kensington Expressway.

The wrongs of Moses-era "urban renewal" rent a wound in the city — designed for white motorists to access the downtown without interacting with Black neighbourhoods. We have a historic opportunity to right this historic injustice, and breath new life into the collapsed lung of the East Side by filling in the Expressway entirely. Buffalo is a city designed for over two million people — in its original conception, it is well-planned with diagonals and arterials that have more than enough capacity for rerouted traffic.

The East Side deserves systemic, reparative justice. It deserves the beautiful, tree-lined avenues of the West Side. It deserves roots, not astroturfing.

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Kearon Roy Taylor, M.Arch (he/they)
Peter Reyner Banham Fellow,
School of Architecture and Planning, SUNY Buffalo
Lecturer, Daniels Faculty of Architecture, Landscape, and Design
Associate Partner, Lateral Office
lateraloffice.com

From:
Sent: Friday, November 10, 2023 3:02:30 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: S, Marc
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This is the stupidest waste of money ever. And that's saying a lot for buffalo.

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From: Alex Sabuda
To:
Subject: Frederick Law Olmsted
Date: Thursday, October 26, 2023 2:38:38 PM

To whom it may concern,
The Humboldt Parkway restoration process has been perfunctory at best. The NYSDOT has been a pathetically mischievous organization, craftily operating in an effort to establish a project that suits them and their pockets foremost. This entire process has felt like a fever dream, where utterly incompetent officials have had to weasel their way through every nook and cranny, pushing incompetent agendas, with a complete disregard for the public and its preferences. To that, I say shame on you. You are no ally of the people, but instead the dreaded reincarnation of Robert Moses and his ideals. Fools who are more concerned about cars than people. And to think that societies as a whole had progressed from such thinking. Perhaps not. You will likely go through with the project and attempt to bask in your feeble achievement, while the city of Buffalo, the people of Buffalo, will have to live with your egregious errors and idleness. Instead of truly understanding this monumental moment and opportunity, the powers at large have decided to brush aside creativity in an effort to use such abundant resources and instead have quivered behind their shrouds of power with impotent minds.
Sincerely,
A. Sabuda

From: Victoria Sacha
Sent: Friday, November 10, 2023 11:24:29 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Sacha, Victoria
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: This is really the most beneficial thing to spend a billion dollars on? We can't use that for winter preparedness instead? We can't use this to help address the homeless population issue? We can't get people off the streets? We can't invest in education? Aiding those with substance abuse? Mental health issues? But another "takes too long" construction project that'll uproot and inconvenience more than a whole neighborhood?
It appears to me as of those in favour of this project aren't interested in bettering the community and making the lives of our Buffalonian's easier and happier. If this isn't a political control maneuver, those in charge will listen to the concerns of the neighborhood, & reallocate those funds in places where a billion dollars would be better put to use. The people deserve more of a say in these decisions. They shouldn't be left in the hands of people that don't even live here.
If y'all are truly good people, you will do what is in the best interest of the people.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Daniel Sack
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway comment
Date: Friday, November 10, 2023 5:35:04 PM

There must be a full EIS. Clearly the DOT/FHWA has not adequately analyzed all the criteria for the possible alternatives. An EIS would better answer all the concerns of the community.

The Scoping Report arbitrarily deciding that "Objective 2: Maintain the vehicular capacity of the existing transportation corridor." is so important but that concept is rejected by a large segment of the community who do not care if suburbanites can drive through the East Side along the Kensington Expressway corridor.

Indeed it would be far better for local businesses if people travelled on Buffalo's street grid and radial streets like Genesee, Walden/Best, Broadway, Kensington Avenue, etc.

It would be far quieter along the Expressway corridor that is not covered.

It would give back the Olmsted parkway like the West Side of Buffalo enjoys along Bidwell, Chapin, and Lincoln Parkways.

Only an EIS can fairly analyze ALL the alternatives.

Economic Impact?

A full EIS is needed because Section 4.5 of the Draft Design Report/Environmental Assessment ignores the fact that getting rid of the expressway would have a positive effect on nearby commerce - thus social and economic justice for East Side neighborhoods. Temporary construction jobs are fine, and would happen regardless of which build plan, including removal, is approved. But temporary construction jobs pale in economic impact compared to forever returning the pre-expressway vitality to the streets the expressway detoured.

The DOT must research what commerce was lost on Genesee and other streets after the Kensington Expressway detoured those streets.

Sure - the population in all of Buffalo declined after the expressway was built making it difficult for economic vitality to return. But the decline was helped by the easy highway route out of Buffalo. Just as this highway made it easier for people to live in suburbs removal of the highway will make it tempting to return.

The loss of businesses was far greater, proportionately, to the loss of population.

There is no doubt that transportation routes, be they road, water, or rail, induce commerce. Removing transportation routes negatively impacts commerce.

The Erie Canal created economies in cities and towns all along its path. Fortunately railroads followed the same route and those places remained viable. But when the interstate highway system bypassed direct access to towns along the way and the towns suffered.

Safety?
There are mounds of evidence that vehicle crashes are more deadly at higher speeds - such as the speeds on highways like the Kensington Expressway - where deaths from horrible high speed crashes have happened. The DOT studies should show proof that removing a highway results in more fatal crashes on the local streets. Is this the case in cities where highways have been removed?

Another safety issue is the fact that fatal multi-vehicle collisions happen on such highways but never on city streets. The 10/23/23 Interstate 55 pileup involving over 160 vehicles, 8 deaths, and 63 injuries NEVER would happen on a Genesee Street or Broadway.

Increased emergency vehicle response time?
If 60 MPH highways are needed for emergency vehicles then New York State, and the entire world, is woefully deficient in such highways. To have the highway density we have with our highways in Erie County I suspect New York State would need thousands more miles of expressways.

Limited access highways can increase emergency response times because a crash on such a highway makes access by emergency vehicles slow whereas when there is a crash on a local road traffic can simply divert to other routes via side streets.

Light rail only by NFTA?
If the New York State Department of Transportation cannot work to develop better public transportation a name change is needed for the agency.

Buffalo, and all of NY State, needs coordinated solutions to our transportation problems. Not BS about how a State transportation agency cannot be involved in another State transportation agency's issue. How is that not stupid? And a "transportation" agency that is not properly coordinating all modes of transportation needs to be defunded. Health, transportation, commerce, land use planning, climate change, and other issues must be factored into our decisions. Not simply: how do we move vehicles fast. Why would State agencies not work with each other?

Daniel Sack

From: AndreWesternNY
Sent: Friday, November 10, 2023 3:04:12 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Sadoff , André
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Even if just for the money in taxes, how much more sustainable would a neighborhood be if it weren't partitioned from the rest of the city, with poor air quality leading to health problems, etc?

And to have it a nice parkway? Seems like a no brained. Suburbanites coming in have the 190, they're fine

Literally every urban planner is realizing this is the way to go

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From: David Saunders
To: dot.sm.kensingtonexpressway
Cc: David Saunders; Timothy Kennedy
Subject: Kensington Expressway Project Public Comment
Date: Friday, November 10, 2023 9:18:32 PM

In May 2015, a 3-year-old boy was killed, and his 5-year-old sister was critically injured when a motor vehicle careened off the highway into a historic Olmsted designed park. A park which had been sliced in half by the NYS Department of Public Works in the 1950s and 1960s as part of a controlled access highway network. It has since been called an error and plans for remediation and fixing are in process. Connected to this discussion regarding the future of the 198 is Route 33, known as the Kensington Expressway. In the 2007 notice of intent to begin the environmental impact study regarding the 198, the project limits were defined as beginning with interstate-190 (I-190) and ending with Route 33 interchange. In their attempts to abstain from completing their mission, the DOT has decided to unlink these two projects even though they are explicitly linked.

The NYSDOT lists its mission statement as the following: “It is the mission of the New York State Department of Transportation to ensure our customers - those who live, work and travel in New York State -- have a safe, efficient, balanced and environmentally sound transportation system.” The NYSDOT also has five priority results:

Our customers:

1. Want to enhance their mobility and have reliable, predictable trips for themselves or in the movement of their goods;
2. Expect both the infrastructure and its users to contribute to the physical safety of people and their goods while in transit;
3. Recognize the critical relationship between a mature, multi-modal transportation system and the state's economic vitality. They see viable transportation options as essential to both economic sustainability and livability of their communities, both Upstate and Downstate;
4. Expect the transportation infrastructure to be secure from external threat or potential abuse; and
5. See the impact of transportation-related decisions at both macro and micro levels affecting the environment and expect the system to more than mitigate transportation's impact.

In all their mission statement as well as their five priority results, the DOT has stated they have a responsibility to all users of the roadways and methods of transportation, not just motor vehicles. The proposed build alternative spends approx. $900 million on less than one mile of roadway. In all their publications, public meetings and other informational sessions, the DOT has failed in its mission. The proposed build alternative moves against priority 2 of the DOT by endangering the physical safety of people by spewing more pollutants into a neighborhood which already has higher than national averages of pollutants and sickness related to these pollutants. The blasting required for the proposed build alternative will release asbestos into the air as well. Further contaminating the neighborhood and endangering the physical safety of people.

As a longtime resident of the City of Buffalo, and working at a business in East Buffalo, I've personally seen the negative impact Route 33 and Route 198 have had on the area. Section 106 of the National Historic Preservation Act requires that federal agencies (including, as in this case, Federal Highway Administration (FHWA), consider the effects on historic properties of any project they carry out, assist, fund, permit, license, or approve throughout the country. While the NYS Department of Public Works destroyed the historic Humboldt Parkway in the 1950s and 1960s, this does not relieve the NYSDOT, nor the FHWA from its responsibility to carry out a full Environmental Impact Assessment as well as a Cultural Landscape Report (CLR). A failure to complete the full EIS as well as the CLR is a failure by the NYSDOT in its mission to "ensure our customers - those who live, work and travel in New York State -- have a safe, efficient, balanced and environmentally sound transportation system."

David Saunders

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from David Saunders
Date: Friday, November 10, 2023 9:15:08 PM

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To the New York State Department of Transportation

* I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
* I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
* I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
* I do NOT want this expressway to cut through our neighborhoods—period!

* I DO want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
* I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
* I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
* I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)
In May 2015, a 3-year-old boy was killed, and his 5-year-old sister was critically injured when a motor vehicle careened off the highway into a historic Olmsted designed park. A park which had been sliced in half by the NYS Department of Public Works in the 1950s and 1960s as part of a controlled access highway network. It has since been called an error and plans for remediation and fixing are in process. Connected to this discussion regarding the future of the 198 is Route 33, known as the Kensington Expressway. In the 2007 notice of intent to begin the environmental impact study regarding the 198, the project limits were defined as beginning with interstate-190 (I-190) and ending with Route 33 interchange. In their attempts to abstain from completing their mission, the DOT has decided to unlink these two projects even though they are explicitly linked.
The NYSDOT lists its mission statement as the following: “It is the mission of the New York State Department of Transportation to ensure our customers - those who live, work and travel in New York State -- have a safe, efficient, balanced and environmentally sound transportation system.” The NYSDOT also has five priority results:
Our customers:
1. Want to enhance their mobility and have reliable, predictable trips for themselves or in the movement of their goods;
2. Expect both the infrastructure and its users to contribute to the physical safety of people and their goods while in transit;
3. Recognize the critical relationship between a mature, multi-modal transportation system and the state's economic vitality. They see viable transportation options as essential to both economic sustainability and livability of their communities, both Upstate and Downstate;
4. Expect the transportation infrastructure to be secure from external threat or potential abuse; and
5. See the impact of transportation-related decisions at both macro and micro levels affecting the environment and expect the system to more than mitigate transportation's impact.
In all their mission statement as well as their five priority results, the DOT has stated they have a responsibility to all users of the roadways and methods of transportation, not just motor vehicles. The proposed build alternative spends approx. $900 million on less than one mile of roadway. In all their publications, public meetings and other informational sessions, the DOT has failed in its mission. The proposed build alternative moves against priority 2 of the DOT by endangering the physical safety of people by spewing more pollutants into a neighborhood which already has higher than national averages of pollutants and sickness related to these pollutants. The blasting required for the proposed build alternative will release asbestos into the air as well. Further contaminating the neighborhood and endangering the physical safety of people.
As a longtime resident of the City of Buffalo, and working at a business in East Buffalo, I’ve personally seen the negative impact Route 33 and Route 198 have had on the area. Section 106 of the National Historic Preservation Act requires that federal agencies (including, as in this case, Federal Highway Administration (FHWA), consider the effects on historic properties of any project they

carry out, assist, fund, permit, license, or approve throughout the country. While the NYS Department of Public Works destroyed the historic Humboldt Parkway in the 1950s and 1960s, this does not relieve the NYSDOT, nor the FHWA from its responsibility to carry out a full Environmental Impact Assessment as well as a Cultural Landscape Report (CLR). A failure to complete the full EIS as well as the CLR is a failure by the NYSDOT in its mission to "ensure our customers - those who live, work and travel in New York State -- have a safe, efficient, balanced and environmentally sound transportation system."
Name
David Saunders
Email

Date
11/10/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Kim Schechter
Sent: Tuesday, September 19, 2023 12:23:56 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: schechter, kim
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: None
Comment: I think this project is a waste of money and would much rather see road and sewer repairs and the broken and missing street lights along the 33 and 198 fixed.

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Sent from my iPhone
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From: Daniel Schifeling
Sent: Monday, September 25, 2023 10:09 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Schifeling, Daniel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: United Church of Christ Minister
Comment: I strenuously object to building a tunnel for 3/4 of a mile to cover just a piece of the 33 for $1 b. That wastes a huge amount of money and only benefits a few construction companies who will do the building. Developers and construction companies have a long history of building projects in Buffalo that benefit them financially, but do not build up the city as a whole -- especially the East Side! They should not be allowed to lead us into another terrible decision. Instead we should use the funds to fill in the 33 and return it to Olmstead's vision of a true parkway. If we need to expedite traffic we can synchronize lights. I just returned from a trip to two beautiful cities -- Vancouver and Victoria Canada. Vancouver is more than twice the size of Buffalo and its metropolitan population is 2.6 million people. Yet neither city has an expressway. NONE. We traveled by taxi and they both function very easily. We NEVER needed the 33! Restore Olmstead's vision and plan!

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From: Monica Schwarzmueller
Sent: Tuesday, November 7, 2023 9:12 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Schwarzmueller, Monica
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: concerned citizen of erie county
Comment: I don't see the need for making a tunnel. Although I do not know much about the project it just has wrong written all over it. My mother had serious issues with environmental concerns. She saw them burying stuff under Central Park Plaza after WW2 she had great enough concern about the water supply and other environmental factors to parrot that information to me on several occasions even into her dying years from cancer. Leave the area be. As I understand it if these are federal funds, and they are not used, they must be returned. Just because you can doesn't mean you should.

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-----Original Message-----
From: Roger Scott < >
Sent: Saturday, October 28, 2023 1:16 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Scott, Roger
Address: ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Fix what was broken. Put it all back. The shameful neglect of other metrics beyond the DOT's single focus is maddening. Robert Moses was wrong all along.

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From: Samuel Seger
Sent: Friday, October 27, 2023 11:41 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: seger, samuel
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: none
Comment: My opinion of this project is that it is a total WASTE of TAXPAYER MONEY and it needs to be CANCELED immediately. I also think, by doing this project, it opens the door to similar situations across the state. Say for instance, is the Stateready to cover parts of the Thruway I90 that weaves its way from Buffalo to NYC just because when it was built, it divided a neighborhood. If you do it for one ,you'll end up doing it for all, it will never end.

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From: Daniel Seiders
Sent: Thursday, November 9, 2023 7:36:18 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Seiders, Daniel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Planner/Urban Designer/LandArch/UB
Comment: Restoring the parkway to an at-grade boulevard with signaled intersections will have the highest ROI for the community and is the only reasonable option. The relatively modest gains in health and property value do not justify the cost of this cap proposal, nor its intensive ongoing maintenance. Roundabouts may be advisable in low pedestrian areas but significantly add to pedestrian travel times when implemented in a dense urban grid. The proposed trees on the cap will be imperiled by intense temperature and moisture fluctuations. Prioritize pedestrians, community, history, and a healthy urban forest . Restore the parkway. The WNY planning and urban design community is virtually unanimous against this bandaid proposal.

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-----Original Message-----
From: Scott Selin
Sent: Thursday, November 9, 2023 10:01 AM
To:
Cc:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Selin, Scott
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: American Institute of Architects
Comment: I would like an Environmental Impact Statement completed for this project. What is the effect on air quality for the neighborhoods at the ends of the tunnel? I would like to see a project that complies with NYS Climate Leadership and Community Protection Act mandates. I would like to see the removal of the Kensington Expressway and restoration of Humboldt Parkway from Delaware Park to MLK Park. Other cities in upstate NY have either removed or are in the process of removing similar highways. Why can't we do this in Buffalo? Putting traffic back on arterial streets would benefit small businesses and city neighborhoods.

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Mrs. Sanjyot Vaidya
Project Manager
New York State Department of Transportation,
Region 5
100 Seneca Street
Buffalo, NY 14203

AND

Matthew Seymour
Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Re: Comments on PIN: 5512.52, September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) - NYS Route 33, Kensington Expressway Project

Dear Mrs. Vaidya and Mr. Seymour,

We continue to be very concerned about this project as it has been developed and designed. Due to our concerns and the issues previously shared and attached, we believe that the project should NOT receive a Finding of No Significant Impact (FONSI) and demand that a full Environmental Impact Statement be conducted. It is imperative for our city, the impacted communities, and the legacy of the Olmsted Park and Parkway System that a more comprehensive approach and evaluation of this project can be completed following the Region Central process with more consequential involvement of the community.

Attached you will find our previous comments. Thank you for your attention to our concerns, and we look forward to continuing meaningful dialogue.

Sincerely,

Justin Booth
Executive Director

GObike Buffalo offers the following feedback on the most recent iteration of the Kensington Expressway Cap project Build Alternative. Our input is informed by both professional experience in designing safer streets for all types of road users, and by personal experience as a team of people who personally depend on biking, walking, and public transportation as our primary forms of transportation.

1. The dual objectives of reconnecting the community by creating continuous greenspace while also maintaining “the vehicular capacity of the existing transportation corridor” are so specific that they constrain alternatives.
2. The objectives say nothing about reducing the health and environmental impacts experienced by those who live in the surrounding neighborhood.
    a. The project purpose indicates that the project should improve compatibility of the corridor with adjacent land uses, which should necessitate a study of the health and environmental impacts negatively impacting households on Humboldt Parkway.
3. Assuming that vehicular capacity must be the same violates the CLCPA because it fails to consider the impact of maintaining traffic capacity on the state’s climate goals. This project must comply with CLCPA section 7, and the NYSDOT must “consider whether such decisions are inconsistent with or will interfere with the attainment of the statewide greenhouse gas emissions” goals. Additionally, the project area is located within a “Disadvantaged Community” for CLCPA purposes. This means that NYSDOT should look for ways to reduce traffic, reduce speeds, and reduce overall vehicle miles traveled to reduce the overall pollution burden on this community as well as the overall GHG emissions of the roadway.
4. A major takeaway of the Region Central process has been the determination of how many trips originating in "Region Central'' are longer than they need to be because people have to go around the Expressway. This is an important piece of analysis that must be done for Kensington as well to understand the true cost-benefit basis for "maintaining the vehicular capacity" of this roadway. How many households must take longer trips to access basic needs because of the highway as a barrier? What is that cost in both emissions and negative health impacts?
5. The project objectives lack clarity on coordinating and collaborating with the Region Central study for the Scajaquada being conducted by the GBNRTC.
6. Because this project is limited in its scope to just a segment of the highway, it inherently fails to address the health, economic, environmental, and social impacts of the highway in the adjacent neighborhoods outside the project boundaries, but still affected by the existence of the highway.
7. The Kensington Expressway Cap project should be designed in such a way that it is not prohibitive for future parkway restoration or capping work outside of the existing scope of work, especially in relation to the Region Central/Scajaquada Expressway project.

Through Region Central, a robust community planning and technical exploration process, the community in Buffalo has demonstrated a long-term desire to see the full corridor of the 198 and 33 from I-190 to downtown transformed to create stronger community connections, improve public health, foster opportunities for non-automotive transportation options, and repair inequitable investment patterns from the last 70 years. Although the Kensington Expressway Capping project scope does not extend north to the 198, the infrastructure being changed or built in this project should not impede future redevelopment of the 198 according to the recommendations of the Region Central process.

8. Streets in surrounding neighborhoods that are being improved through the project should be implemented with complete streets principles in mind, including crosswalks, bump outs, raised intersections, improved sidewalks, and protected bike infrastructure. Streets in this focus area that are listed on the City's Bicycle Master Plan should be improved, at the very least, in accordance with the recommendations outlined in that plan.
9. While the Best Street roundabout proposal is an improvement over signalized intersections, the lack of any type of bike infrastructure will be a barrier to families on bikes who are attempting to get to the park from points west of the expressway. Please explore providing separated bike facilities that offer better connectivity to the park by bike along this route. Because this section of roadway is an important connection between a residential neighborhood and the community's largest park, a school, and a youth-oriented cultural amenity (Buffalo Science Museum), street infrastructure should reflect that many of the users will be children and families. By not creating a safe, separated bike facility here, you significantly reduce the ease of access for this group of road users who will likely feel it is not safe enough to use. Riding on the sidewalk should not be a proposed solution because for bicyclists over the age of 14, it is illegal to ride on the sidewalk. Riding on the sidewalk can also create more conflicts between pedestrians and bicyclists, especially as e-bikes with higher speeds become more prevalent.
10. The jet fan proposal for ventilation is an improvement on the idea of tearing down homes to install ventilation shafts but still does not solve the problem of improving air quality in the neighborhood. It is our understanding that the proven ways to reduce vehicular pollution are to: (1) reduce the number of vehicles/vehicle miles traveled, (2) reduce vehicular pollution at the tailpipe through stricter pollution standards for cars, trucks, and buses, (3) reducing vehicular speeds, and (4) reducing traffic congestion. The proposed build alternative does not solve the problem of air pollution caused by the expressway but instead concentrates the air pollution in parts of the neighborhood that are already not benefiting from the cap. A solution that does not tear down homes, impose ventilation structures on the landscape, or concentrate pollutants into certain areas of the neighborhood should be a core component of this project. Please clarify

how the ventilation options will lead to less vehicular pollution from the roadway if the road capacity, speed, and congestion are maintained. If the ventilation is meant to emit vehicular emissions higher into the air, there should be modeling to show the dispersion of the air emissions and the effects on both the adjacent community and those residents living further away from the roadways.

11. The bike lanes along the capped portion of Humboldt Parkway are currently proposed as being placed between the vehicle travel lane and the parking lane. However, this solution creates conflicts between vehicles and bicyclists, including people pulling in and out of parking spaces with people on bikes next to them and people opening their doors into the bike lane while people are riding next to them. A safer alternative is to place a protected bike lane between the grass section of the parkway and the vehicle parking lane. This alternative creates separation between people on bikes and vehicles, reducing chances of conflict. An example of this layout can be seen along Niagara Street in Buffalo. Another option could be placing a path within the planted median. There is historical precedence for this in many of Olmsted's original designs, even here in Buffalo.
12. Improved transit access either through light rail expansion or dedicated bus lanes should be a key strategy to meet the project objectives and support the mobility needs of a community where a third of the households do not have access to a vehicle.

From: Hanz Fritz
Sent: Wednesday, October 11, 2023 3:47:16 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Serafin, Samuel
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Just a wny native who wants the best for everyone.
Comment: I strongly believe in the connection, or reconnection of the people living in communities on the east side along the 33. Science tells us the more greenery and park space humans have access to, the healthier and longer their lives will be. We must do the people right by reestablishing the entire length of Humboldt parkway not just 1.3 miles of it. Deck the whole span.

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From: on behalf of Deb Sharpe
To:
Subject: Kensington Expressway Project
Date: Thursday, October 26, 2023 7:32:38 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mrs. Deb Sharpe

From:	on behalf of Deeny Shatkin
To:	dot.sm.kensingtonexpressway
Subject:	Kensington Expressway Project
Date:	Saturday, November 4, 2023 10:40:13 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

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I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mrs. Deeny Shatkin

From: Richard Sherrill
Sent: Sunday, October 22, 2023 3:24:53 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Sherrill, Richard
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: A long, narrow green space with about 328 trees ($2 million/tree) will not reconnect the surrounding community. For the people living half a block away, towards Fillmore and further east or towards Wohlers and further west, the additional bridges will have far more impact on their lives than the green space that they can't see from their homes.

The NYSDOT has decided upon the Green Space alternative and did not even bother to cost out the other eight.
This Green Space is so expensive that there will be no money or energy for future projects badly needed on the East Side.

If the Green Space is removed from the project, three or even five new bridges could be built, and the NYS DOT could use the rest of the money to pave many roads, replace sidewalks, plant hundreds of trees, and create neighborhood parks and playgrounds all over Buffalo's East Side. That would create real community.

Please change the Project to Invest in the Future, rather than Emulate the Past!

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From: Eve Shippens
Sent: Friday, November 10, 2023 1:25:07 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Shippens , Eve
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Resident
Comment: I don't agree with the current plan to cap part of the 33. I am an environmental science teacher. This plan does nothing to reduce air pollution or increase sustainability. In fact, at the ends of the tunnel, air quality will be much worse. The school I work at 10 hrs a day, 250 days a yr is less than a mile from one of those ends! I am concerned about the impact of this on my health and that of students and staff and residents in the area.
Trees are super important to suck up greenhouse gases. The cap plan does not allow for mature trees because of the shallow 3 ft of soil. The trees included in the plan will have to be deforested once they get too big. Right now, the city only plants 1 tree for every 4 cut down. So we cannot count on replacement trees to be planted as needed.
I live along the Scajaquada Creek. The current plan will do nothing to support the clean up of this water way. In fact, it will ensure that this waterway will continue to be polluted for decades to come!

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from James Shoptaugh
Date: Thursday, November 9, 2023 10:13:14 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

This is not a proper use of funds whatsoever, and it’s baffling that such an idea is being proposed and funded at this amount! This money should be used to improve public transportation, which the city badly needs. Many bus lines were cut and never opened again, and this money could be used to reopen new and old lines. I’m a social worker and my patients have to commute from all over to access services where I work at a health center. There is a glaring lack of robust transportation infrastructure, as the majority of my patients struggle to get to their appointments. The lack of transit lines causes patients to miss appointments and very directly impacts their medical care and health. We would be improving resident’s health and quality of life dramatically if we used this funding for proper

public transit infrastructure instead. My fellow coworkers see their patients struggle with this daily as well, many of our patients need to access other social services and have to make important appointments at DSS and social security which can't be missed, but our lack of reliable and robust transit makes it incredibly difficult to accomplish this. It's a high barrier for our patients and it's heartbreaking to see the consequences of the lack of reliable transit so negatively impact lives. It is imperative that this project doesn't go through, it's clearly not for the benefit of the public like is being stated, and it would be a gross oversight to approve such a project when the funds could make an incredible and meaningful difference in the lives of our residents. I implore you to reject the Kensington Expressway Project.

Name

James Shoptaugh

Email

Date

11/9/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Thomas Short
Sent: Wednesday, September 27, 2023 1:34:23 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Short, Thomas
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalo Democratic Socialists of America
Comment: The redesign of the 33 is a tragedy. It is a full throated embrace of climate denialism, and an act of climate arson by the DOT. There is near unanimity amongst scientists that in order to reduce carbon emissions, we most reduce single use automobile trips. This project does not do that, instead it locks in the original sin of the 33. Your own projections show either negligible or even worsening of local air quality and relies heavily on an assumptions of vehicle electrification. You do not account for the traffic violence that will continue unabated by speeding motorists, the destruction of the urban fabric caused by car dependency, or consider alternatives to this billion dollar boondoggle. You pay lip service to the black residents of Buffalo, who need robust public transit, clean air, and walkable neighborhoods, while doing the bidding of wealthy and white suburbanites. You have locked in another generation of environmental racism and segregation. May god have mercy on your souls

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From: Thomas Short
Sent: Thursday, November 9, 2023 12:14:34 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Short, Thomas
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: This project is fundamentally flawed from its inception. The NYS DOT has not taken residents seriously, and the project should be taken over by the GBNRTC. Additionally the proposed plan does not meet mandates under the NYCLCPA, nor New Yorks constitutional guarantees of a healthful environment. The DOT has not adequately adressed concerns about asbestos, displacement, or air quality. The project does not connect the parkways, and instead prioritizes the needs of suburban residents while once again shafting the black residents of buffalo. A full EIS should be completed, and the state should look into full removal. To do otherwise would be another generational blow to Buffalos black community and an act of climate arson

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From: Paul Sickau
To: dot.sm.kensingtonexpressway
Subject: What a waste of money for a project that. Is not wanted or needed
Date: Friday, November 10, 2023 4:18:38 PM

What a waste of money for a projected that is not needed or wanted.
Seems like this is nothing more than a jobs program for friends of the governor. I would not be surprised if most the contracts will go to corporations outside of Buffalo.
A tunnel will not improve the East Side of Buffalo, nor will the image of the East Side of Buffalo improve.

Spend the money on something that the people want and need most!

Extend the Metro Rail to UB
North Campus, including a rail
To the Buffalo Airport and a rail
Line to Orchard Park.

From everything I heard so far the
DOT has not listened to anything that the people have been saying from the time this not needed or wanted project was first introduced.

Seems like the DOT already approved the project before the public was ever consulted.

Spend the money on needed projects not this Gray Elephant that will make Buffalo and New y York State JOKE
Nationwise.

-----Original Message-----
From: Tea Time With Taniqua
Sent: Thursday, October 12, 2023 12:05 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Simmons, Taniqua
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalo United Community Coalition
Comment: The entire process is questionable as the HOMEOWNERS are not included as stakeholders in this process and it is our property at risk. It is our homes that will turn into a construction site…and we have been systematically excluded. No organization should be able to usurp the voice and vote of the homeowners who LIVE ON Humboldt Parkway. As the STAKEHOLDERS in the process have a competing interest against that of the HOMEOWNERS!!

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Sent from my iPhone
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Tea Time With Taniqua
Sent: Thursday, October 12, 2023 12:15 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Simmons, Taniqua
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Buffalo United Community Coalition
Comment: I am very concerned that the RESTORE OUR COMMUNITY COALITION is working hand in hand with the NYSDOT as a NONPROFIT representing the interest of the community. This nonprofit has failed to submit it's form 990 since 2017. Their NONPROFIT status is not valid and it is NYS responsibility to decertify them…not work with them. As a homeowner on HUMBOLDT PARKWAY for 20 years…I am unfamiliar with this organization…it's partners and affiliates that are pushing for this project. My neighbors nor myself have ever heard of these people. But research reveals that this organization is hand picked to champion many projects within the community. So, their lack of financial disclosure is paramount to determine whose interest these folks truly represent…when their other affiliations…political and otherwise are called into question! So, this organization can not supersede the voice of HOMEOWNERS WHO LIVE HERE AND THEY HAVE

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From: Tea Time With Taniqua
Sent: Thursday, October 12, 2023 12:22:25 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Simmons, Taniqua
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Humboldt Parkway Homeowner of 20 Years
Comment: The City Of Buffalo is repaving the side street next to my home. The vibration from the paving machine woke me up out of my sleep…as it went through my home. The thought of explosives being used has literally made me sick with worry. My home was built in 1900…will out home survive? At what expense should the community that no longer exist be reconnected? Is it worth the destruction of our home? Is it worth our homes being turned into a 4-6 year construction site? The same community that is allegedly trying to be reconnected will ultimately be financially displaced and the exhaust will still be an issue. In light of these facts I can not support this project

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Sent from my iPhone
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Patrick Simons
To: dot.sm.kensingtonexpressway
Subject: One Parkway Now! No NYSDOT Tunnel!
Date: Thursday, November 9, 2023 11:52:27 PM

Please consider our future! Restore the parkway for our community, our health, and our city's legacy.

Consider the children at Hamlin Park School #74, the Boys & Girls Club Masten Club House, and the Charles Drew Science Magnet School.

The proposed NYSDOT vehicle exhaust mitigation solution is not adequate and the tunnel would violate the state's Climate Leadership & Community Protection Act to reduce greenhouse gases by 40% by 2030.

Filling in the 33 would be less disruptive to residents, cheaper for taxpayers, and would restore a cherished asset for residents and attraction for visitors for decades to come.

If existing 33 bridge decks are 20 years past their “expected 40-year service life," how can we expect the city and the state DOT to safely and successfully build and maintain a tunnel?

Look at science! Look at the numbers! Look at Rochester! No more neglecting the East Side! Not another mismanaged and counterproductive urban planning disaster in our city! One Parkway Now!

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Patrick Simons
Date: Thursday, November 9, 2023 11:50:44 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

Please consider our future! Restore the parkway for our community, our health, and our city's legacy.

Consider the children at Hamlin Park School #74, the Boys & Girls Club Masten Club House, and the Charles Drew Science Magnet School.

The proposed NYSDOT vehicle exhaust mitigation solution is not adequate and the tunnel would violate the state's Climate Leadership & Community Protection Act to reduce greenhouse gases by 40% by 2030.

Filling in the 33 would be less disruptive to residents, cheaper for taxpayers, and would restore a cherished asset for residents and attraction for visitors for decades to come.

If existing 33 bridge decks are 20 years past their “expected 40-year service life," how can we expect the city and the state DOT to safely and successfully build and maintain a tunnel?

Look at science! Look at the numbers! Look at Rochester! No more neglecting the East Side! Not another mismanaged and counterproductive urban planning disaster in our city! One Parkway Now!

Name

Patrick Simons

Email

Date

11/9/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Mary Simpson
Sent: Thursday, November 9, 2023 5:32:47 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Simpson , Mary
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Park advocatethe
Comment: The historic Buffalo park and parkways system is now considered at risk by the Cultural Landscape Foundation because of the proposed cap without the completion of an Environmental Impact Statement, a Cultural Landscape report and the inclusion of other design options. I demand that [1] an Environmental Impact Statement for NYS Route 33, Kensington Expressway Project (PIN: 5512.52) be conducted, including traffic studies of Buffalo and all the radial streets, air quality studies for the East Side of Buffalo, and an evaluation of whether commuting into and out of Buffalo has decreased post-pandemic; [2] that a Cultural Landscape Report (CLR) be undertaken; and [3] that full design options be prepared with community participation, including the rehabilitation of Humboldt Parkway. This cap design has been offered without the detailed research and analysis required by law. Nationally recognized park systems deserve the same consideration as treasured architecture. Thank you.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Comment via East Side Parkways Coalition
To:
Subject: Comment for the Kensington Expressway Project from Sue Sims
Date: Friday, October 27, 2023 5:50:12 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Sue Sims

Email

Date

10/27/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Comment via East Side Parkways Coalition
To:
Subject: Comment for the Kensington Expressway Project from Sue Sims
Date: Friday, October 27, 2023 8:31:07 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

As One Parkway Now! has emphasized: "The East Side deserves the same tranquil parkways as enjoyed by West Side residents."

Name

Sue Sims

Email

Date

10/27/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Jeff Sipos
To: dot.sm.kensingtonexpressway
Subject: Submit a comment for the Kensington Expressway Project
Date: Friday, November 10, 2023 12:28:18 PM

NY DOT's plan to spend $1Billion to entrench the status quo by digging the highway deeper, capping less than a mile of it, and permanently sealing the fate of Humboldt Parkway as an urban highway is not acceptable. The DOT's goals are not compatible with Buffalo residents' goals.

That $1B could restore the parkway and build much needed transit for the city

Buffalo residents' quality of life should take precedence over a couple minutes of car commuters' time while entering or leaving the city. Filling in the entire thing and restoring a world-class Olmsted parkway would cost much less and have real benefits for the city and its residents.

Jeff Sipos

From: Carl Skompinski
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project (PIN: 5512.52) Draft Environmental Assessment Comments
Date: Friday, November 10, 2023 5:04:25 PM
Attachments: Draft EA Comments - Skompinski - 100923.pdf

Enclosed are my comments to the Draft EA.

Carl Skompinski
Williamsville, NY 14221

November 9, 2023

Ms. Sanjyot Vaidya, Project Manager
New York State Department of Transportation,
Region 5
100 Seneca Street
Buffalo, NY 14203

Mr. Matthew Seymour, Senior Area Engineer
Federal Highway Administration
Leo W. O'Brien Federal Building
11A Clinton Avenue, Suite 719
Albany, NY 12207

Cc: Governor Kathy Hochul, Assemblymember Crystal Peoples-Stokes, Senator Tim Kennedy

Subject: NYSDOT Draft Design Report/Environmental Assessment (DDR/EA)
NYS Route 33, Kensington Expressway Project (PIN: 5512.52)

Dear Ms. Vaidya and Mr. Seymour:

Please accept this letter as my comments to the NYSDOT's Draft Environmental Assessment (EA) (September 12, 3023).

My comments are categorized in the following sections:

- Air Quality Methodology and Health Outcomes
    - Baseline
    - Current Health Conditions of the Surrounding Neighborhood
    - Community Concerns
    - Tunnel Exhaust Plumes and Proximity to Schools, The Buffalo Science Museum, and Park
    - NYSDOT's Exhaust Mitigation Solutions
    - Truck/Car/Highway Exhaust Health Studies
- Building on Current State Investment in the Community
    - East Side Avenues Initiative
    - Rebuilding Business Districts
- Infilling the Humboldt Section of the Kensington Expressway
    - Truly Reconnecting the Community
    - Cost
- Traffic Dispersal
    - City Radials
    - Idling and Wait Times
    - Smart Traffic Solutions
- Maintenance
    - Who's going to maintain the cap?
- Community Outreach Process

    - Insufficient Outreach
- Conclusion

Air Quality Methodology and Health Outcomes

Baseline

The method the NYSDOT used to collect air quality levels was to use a permanent air quality station in "Kaisertown" – 3 miles southeast of the project area. "Based on review of the available monitoring locations, the data from the NYSDEC Buffalo monitor at the Thruway Authority Bridge Maintenance Facility Access Road were used to establish background concentrations. This is the closest monitoring location to the Study Area" (EA, p254). An ozone collection station used for data gathering is in Amherst, NY. (EA, p257).

Given that the NYSDOT Project Leaders knew of the communities concerns about the current health conditions of residents – via meetings with Restore our Community Coalition (ROCC) and as outlined in their reasons for the project: "Environmental Remediation[1]" and in their public comments[2] and statements – Why didn't the NYSDOT position mobile air monitoring stations around the project area to determine true readings and not substitute a dissimilar highway when it only introduces a lack of concern for the residents wishes and introduces a lack of confidence in the resulting analysis?

As per Project Chief Engineer Ms. Winkelhake's NYSDOT Press Release Statement (October 26, 2023)[3]: "… those opposed to the project have filled the void by largely spreading misinformation and exhibiting a misunderstanding about what can and cannot be done with the project." This statement speaks to the NYSDOT's lack of properly communicating with the community. First, these project documents are written for engineers as the public lacks the general knowledge to determine, on their own, whether the information provided is true or omissions are being made to put the project in the best light. Sadly, neither is our community news organizations – both print and television - analyzing the data provided in the EA. So, the comment is a bit disingenuous. Especially since the NYSDOT public meetings did not allow for the public to question NYSDOT officials and LaBella engineers in an open forum where all could have been better informed. From my experience attending all the NYSDOT public meetings – NYSDOT officials and LaBella engineers did not have answers to my questions – I was referred to the GBNRTC or invited to write LaBella – which I did later.

Further, a true – "No Build" air quality analysis would have included a baseline from one of the other city Olmsted Parkways to determine true air quality based on the original parkway. It's not surprising that it wasn't done, as the NYSDOT did not set up neighborhood monitoring in the project area itself. They settled for "Good Enough", which led to the health concern comments you hear today.

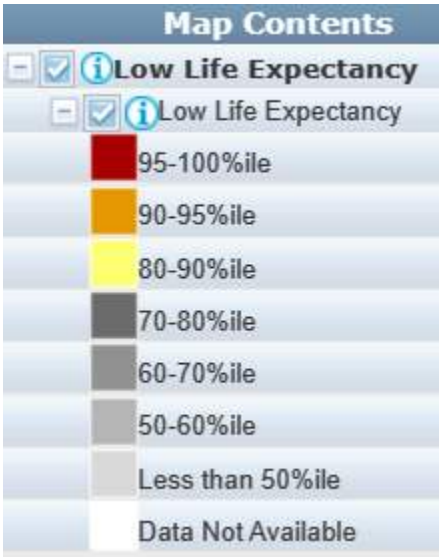
[1] - ROCC: Reasons for the Project - Environmental Remediation - https://roccbuffalo.org/?p=2899
[2] - NYDOTS' Scoping Report – Public Comments – Document Number 134 – "Request Health Impacts Assessment"
[3] - "STATEMENT FROM CHIEF ENGINEER STEPHANIE WINKELHAKE ON EXTENDING THE PUBLIC COMMENT PERIOD FOR THE KENSINGTON EXPRESSWAY PROJECT https://www.dot.ny.gov/news/press-releases/2023/2023-10-26

Current Health Conditions of the Surrounding Neighborhood

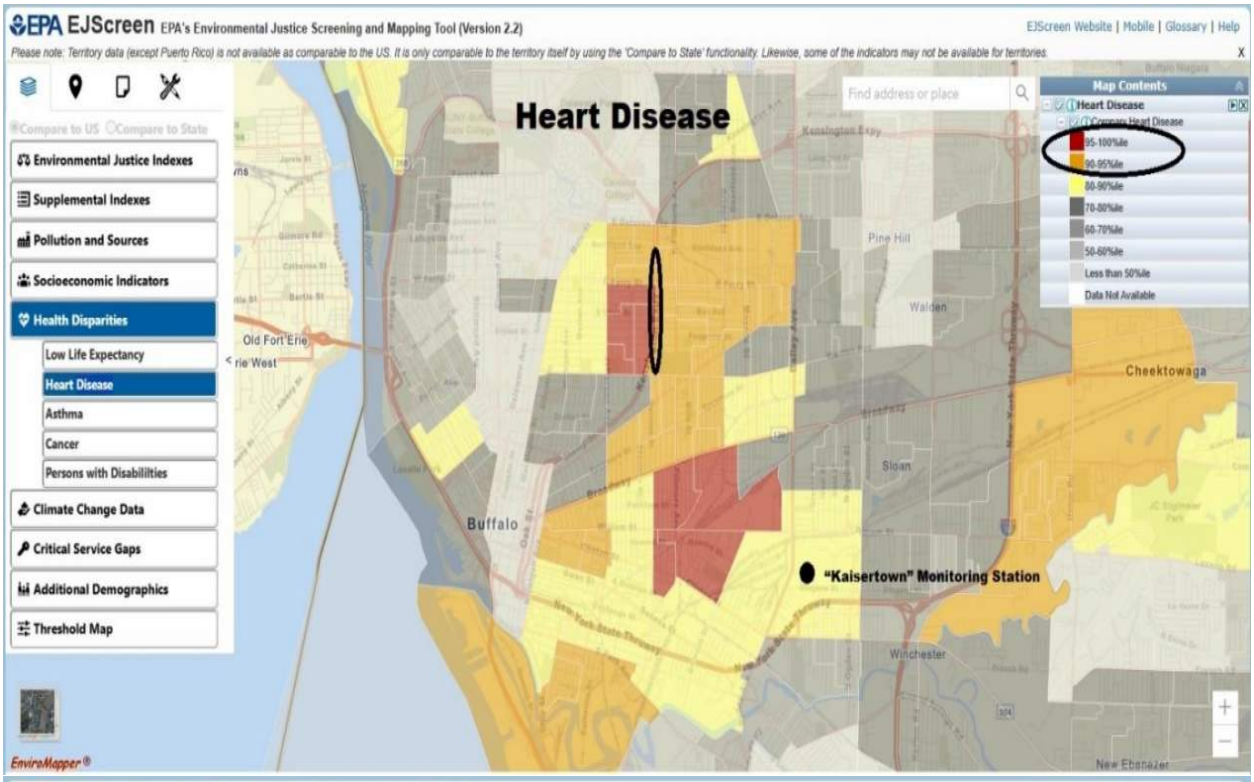
Given the location of the air monitoring station in "Kaisertown" – 3 miles south of the Humboldt Parkway tunnel project, one only needs to look at the Environmental Protection Agency's (EPA) Environmental Justice Screening and Mapping Tool (EJScreen Version 2.2)[4] using the Kaisertown zip codes of 14206 and 14227 comparing it with the Tunnel project neighborhood and see that the NYSDOT is not comparing apples-to-apples. The Humboldt Parkway neighborhoods health disparity index for "Low Life Expectancy", "Asthma", "Heart Disease" and "People with Disabilities" is much higher in the neighborhoods surrounding this project than downwind of the I-190 monitor in Kaisertown.

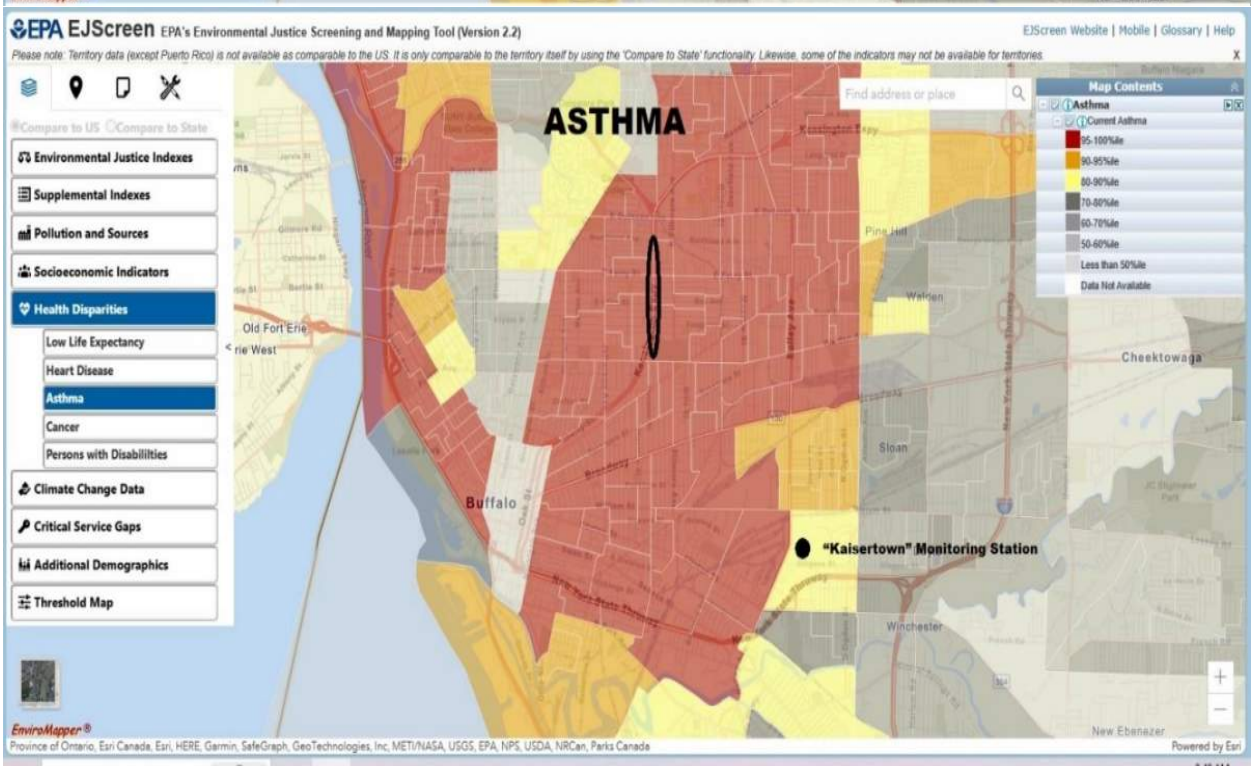
Enclosed screenshots are from the EPA EJScreening and Mapping Tool: (Project area and "Kaisertown" Air Monitoring site noted in black). I'm not going to include the "wind rose" as provided in the NYSDOT's EA Appendix 7 – "Air Quality Technical Report" – page 9.

Percentile Index from the Tool:



[4] - Environmental Justice Screening and Mapping Tool - https://ejscreen.epa.gov/mapper/


EPA EJScreen EPA's Environmental Justice Screening and Mapping Tool (Version 2.2)
EJScreen Website | Mobile | Glossary | Help
Please note: Territory data (except Puerto Rico) is not available as comparable to the US. It is only comparable to the territory itself by using the 'Compare to State' functionality. Likewise, some of the indicators may not be available for territories.
Heart Disease
Compare to US Compare to State
Environmental Justice Indexes
Supplemental Indexes
Pollution and Sources
Socioeconomic Indicators
Health Disparities
Low Life Expectancy
Heart Disease
Asthma
Cancer
Persons with Disabilities
Climate Change Data
Critical Service Gaps
Additional Demographics
Threshold Map
Find address or place
Map Contents
Heart Disease
95-100%ile
90-95%ile
80-90%ile
70-80%ile
60-70%ile
50-60%ile
Less than 50%ile
Data Not Available
Pine Hill
Walden
Cheektowaga
Sloan
Buffalo
"Kaisertown" Monitoring Station
Winchester
New Ebenezer
EnviroMapper®


EPA EJScreen EPA's Environmental Justice Screening and Mapping Tool (Version 2.2)
EJScreen Website | Mobile | Glossary | Help
Please note: Territory data (except Puerto Rico) is not available as comparable to the US. It is only comparable to the territory itself by using the 'Compare to State' functionality. Likewise, some of the indicators may not be available for territories.
ASTHMA
Compare to US Compare to State
Environmental Justice Indexes
Supplemental Indexes
Pollution and Sources
Socioeconomic Indicators
Health Disparities
Low Life Expectancy
Heart Disease
Asthma
Cancer
Persons with Disabilities
Climate Change Data
Critical Service Gaps
Additional Demographics
Threshold Map
Find address or place
Map Contents
Asthma
Current Asthma
95-100%ile
90-95%ile
80-90%ile
70-80%ile
60-70%ile
50-60%ile
Less than 50%ile
Data Not Available
Pine Hill
Walden
Cheektowaga
Sloan
Buffalo
"Kaisertown" Monitoring Station
Winchester
New Ebenezer
EnviroMapper®
Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, NRCan, Parks Canada
Powered by Esri



Community Concerns

The EPA EJScreening and Mapping Tool gives credence to the voices of the community that the neighborhoods surrounding the Humboldt section of the Kensington Expressway have a high incidence of health problems. There are no scientific studies associated with neighborhood health problems and outcomes, but given the EPA Mapping tool, aggregate data says otherwise.



Tunnel Exhaust Plumes and Proximity to Schools, The Buffalo Science Museum, and Park

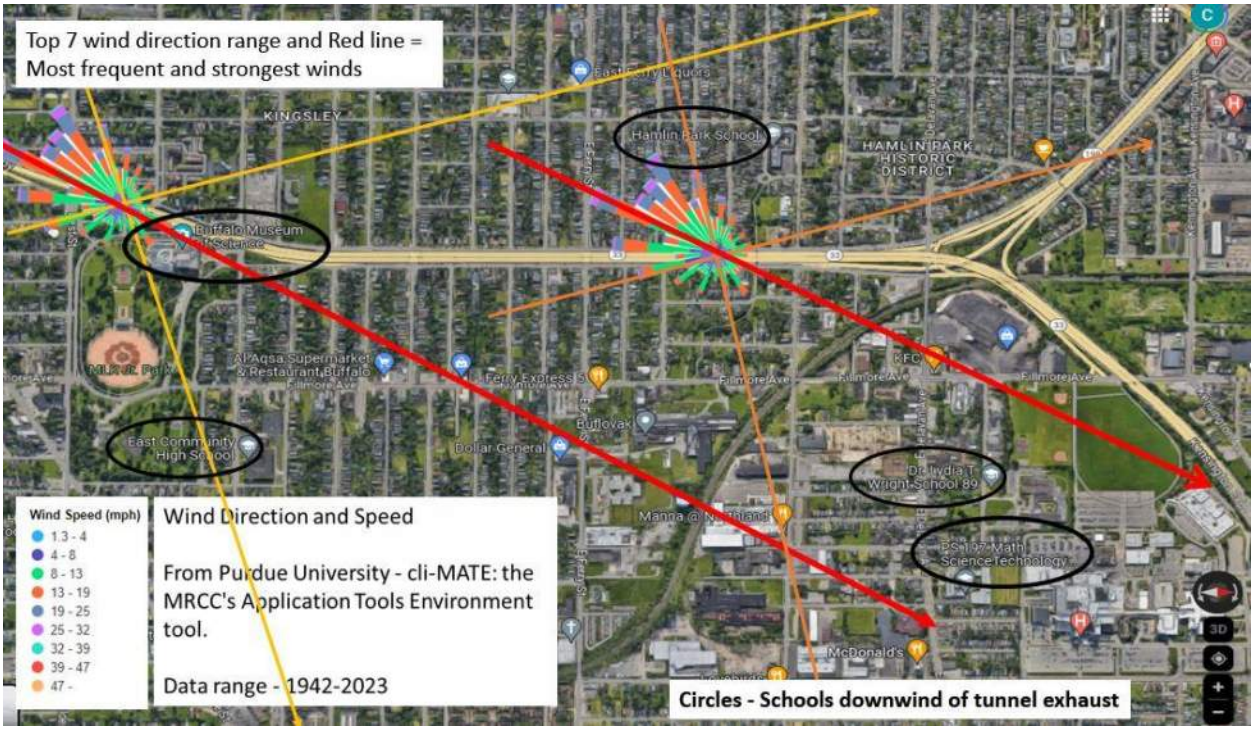
According to the EA, Section 4.9.4 (Build Alternative Effects), the truck and car exhaust plumes from the tunnel portals is modeled to be 300 feet given the "piston effect" of traffic. The "jet fans" are only to be used during emergencies (traffic backups in the tunnel) and when air quality monitoring reaches a prescribed threshold.

While the modeling states that air quality levels will be under the National Ambient Air Quality Standards (NAAQS), the EPA data shows that air quality could and must be improved. From the EPA Screening tool for Blockgroup: 360290035022 (Neighborhood adjacent to MLK Park - Population: 1,111):

EJScreen Environmental and Socioeconomic Indicators Data

HEALTH INDICATORS					
INDICATOR	HEALTH VALUE	STATE AVERAGE	STATE PERCENTILE	US AVERAGE	US PERCENTILE
Low Life Expectancy	28%	17%	99	20%	97
Heart Disease	8.6	5.6	97	6.1	90
Asthma	15.1	10	99	10	99
Cancer	5.8	6	43	6.1	41
Persons with Disabilities	15.6%	11.8%	77	13.4%	68

Further, given the historic prevailing wind direction, the Best St. portal plume is directly upwind of the Charles Drew Science Magnet School, The Buffalo Science Museum, and MLK. It is up wind of a total 5 schools, and a number of a neighborhood youth clubs and churches.



The NYSDOT's Build Alternative states there will be a slight increase in exhaust levels at the tunnel portals.

An illustration of that piston effect can be seen in this example from EA– Appendix D7 - Air Quality Technical Report (pgs. 33-36):

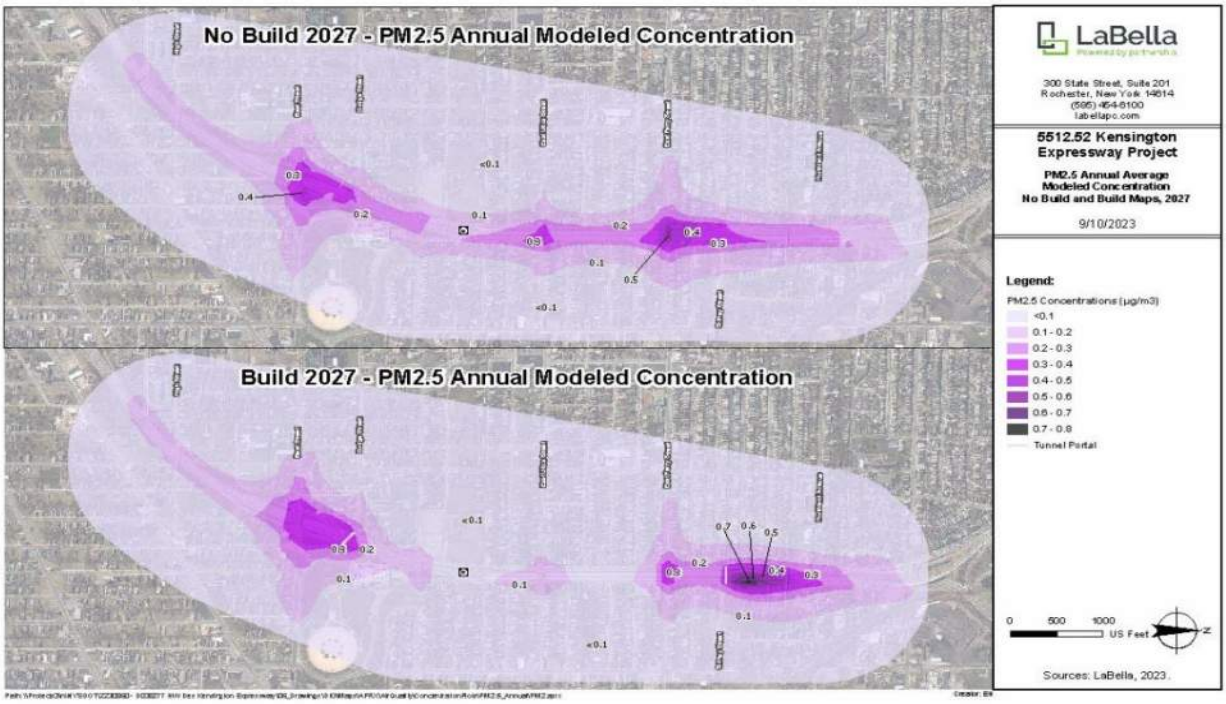


Figure 11 Modeled Year 2027 Annual Average PM2.5 Concentrations

While PM2.5 levels are modeled to a reasonable level, it begs the question – **Why didn't the NYSDOT provide in the report a visual representation of Carbon Monoxide level increases at the tunnel portals like they did for PM2.5 concentrations? The Tunnel concentrates what was a more dispersed exhaust into a 300-foot plume upwind of an elementary school.**

From the EA Appendix D7 - Air Quality Technical Report (pgs. 39-40):

Table 25. Year 2027 No Build Alternative CO Results (ppm)

	Modeled Concentration	Background	Total	NAAQS
1-hr average	0.8	1.2	2.0	35
8-hr average	0.6	0.9	1.5	9

Table 27. Year 2027 Build Alternative CO Results (ppm)

	Modeled Concentration	Background	Total	NAAQS
1-hr average	1.9	1.2	3.1	35
8-hr average	1.3	0.9	2.2	9

EA - Appendix D7 Air Quality Technical Report - Pgs 39-40

Changes in CO (Carbon Monoxide) Concentrations

The change in CO concentration for the "Build Model" at a 1-hr average level is **137.5% HIGHER** than the "No Build" model.

And The change in CO concentration for the "Build Model" at an 8-hr average level is **116.67% HIGHER** than the "No Build" model.

For most reasonable people this would be alarming. Given the health issues already presented by residents, concentrating dispersed truck and car exhaust into 300-foot plumes is not a good legacy for State politicians, or NYSDOT.

NYSDOT's Exhaust Mitigation Solutions

In the Draft EA's Section 9 – Measures to Minimized Air Quality Effects (pgs. 45-46) there are several measures that are listed to minimize air pollution impact on the community:

- Splitting the Thrust of Air Coming out of the Exit Portal
- Installing SmogStop Wall Treatments
- Controlling dust
- Greenspace and tree-planting related

Let's address each one:

1. Splitting the Thrust of Air coming out of the exit portal – only a portion of the truck and car exhaust would be split, and still near or at the end of the portal. While this – "could reduce" or disperse pollutants – as the NYSDOT stated– it nevertheless doesn't reduce the exhaust pollutants.

2. Installing SmogStop technology. SmogStop[5], as stated by the company's website and in the Draft EA, uses "Photocatalytic Treatment" to remove NOx from exhaust in the air. Being a photocatalytic process, it requires sunlight to breakdown NOx. The last time I looked in tunnels, they didn't have much sunlight.

3. Controlling Dust. I spoke with a LaBella Engineer at the last NYSDOT Public Meeting on September 27th regarding dust control and "scheduled" cleaning – he stated that it would be done: "Once per year."

4. Greenspace and tree plantings. From the Draft EA – Pg. 270: "Trees have direct benefits on air quality in urban areas, including removal of particulate matter through uptake of particles into the leaf stomata or interception of particles onto the leaf surface." That's fine, when trees have leaves on them, but during the fall in early October through leaf-out in early May – what then?

Truck/Car/Highway Exhaust Health Studies

Several studies have correlated health outcomes and learning disabilities in proximity of highways.

1. From SmogStop's website: (Problem menu tab, "Local Health Impacts") – meter to feet conversion added by me.

"**Nearby residents suffer the greatest health consequences.** According to a Vancouver study[6], people who live within 150 metres (approximately 500-feet) of a highway or within 50 metres (165-feet) of a major road are 29 per cent more likely to die from coronary heart disease.

The dangers don't stop there, however. Traffic-related air pollution is also linked to stroke, cancer, asthma, and other respiratory problems. Children, infants, and unborn babies are particularly vulnerable because their lungs aren't fully developed. Meanwhile, Spanish researchers found that students in elementary schools located within 500 metres (1,640-feet) of a major roadway or highway had slower cognitive development."

[5] - SmogStop - https://www.smogstop.co.uk/problem/
[6] - Change in Residential Proximity to Traffic and Rish of Death from Coronary Heart Disease - https://journals.lww.com/epidem/Fulltext/2009/11001/Change_in_Residential_Proximity_to_Traffic_and.552.aspx

2. Traffic Related Air Pollution, Particulate Matter, and Autism[7]

Conclusions

"Exposure to TRP, NO_2, $PM_{2.5}$, and PM_{10} during pregnancy and the first year of life was associated with autism. Further epidemiological and toxicological examination of likely biological pathways will help determine whether these associations are causal."

3. Vehicle exhaust exposure in an incident case–control study of adult asthma[8]

Discussion section:

"Among participants who had lived >2 years in their home and had positive skin-prick tests, elevated levels of NO2 outside the home were significantly associated with incident asthma."

4. The Polluted Life Near the Highway[9]

Conclusions

"Research demonstrates the negative health and economic impacts of highway adjacency; living near highways is associated with diseases that can lead to premature death. We then turned to Louisville as a case study to understand, at a local level, the effect that such transportation corridors have on everyday life—at home, at work, and at school."

"Although the people living and working near arterials are demographically similar to people throughout the Metro, disproportionate shares of such residents are renters, have incomes below the federal poverty level, receive SNAP benefits, and live in subsidized affordable housing, particularly public housing. This means that residents with lower incomes are more likely to suffer the negative health consequences of pollution. Considering that families without access to a private automobile tend to live closer to highways, it is a sad irony that those who are most likely to be exposed to roadway pollution are those who contribute least to it."

[7] - Traffic Related Air Pollution, Particulate Matter, and Autism https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4019010/

[8] - Vehicle exhaust exposure in an incident case–control study of adult asthma https://erj.ersjournals.com/content/28/1/75

[9] - The Polluted Life Near the Highway https://www.urban.org/sites/default/files/2022-11/The%20Polluted%20Life%20Near%20the%20Highway.pdf

The Polluted Life Near the Highway continued…

TABLE 1

Evidence on Health Effects of Living or Attending School Near Major Roadways

A review of scholarship on highway exposure

Within 100 meters	Within 200 meters	Within 300 meters
▪ For children at schools, exposure to $PM_{2.5}$ and NO_x are 30 percent and 37 percent higher, respectively, than at comparable schools elsewhere[a] ▪ Increase in acute myocardial infarction of 5 percent[b] ▪ Higher cardiopulmonary mortality risks of 1.95 percent[c] ▪ Increased lung cancer risks attributable to NO_2 and $PM_{2.5}$ exposure by 10 units[d]	▪ Increase in odds of stroke mortality of 8 percent at 150 meters[e] ▪ Greater exposure to ultrafine particles, black carbon, NO_x, and CO than those living further away, elevating risks of asthma and reduced lung function[f] ▪ 1.3 times increased odds of preeclampsia; 1.6 times increased odds of pProm; and 1.4 times increased odds of preterm births[g]	▪ Higher concentrations of CO and black carbon[h] (Baldauf et al. 2008) ▪ Higher likelihood of autism for children of pregnant women during the third trimester[i] ▪ Increased risks of coronary heart disease[j]

Source: Authors' review of scholarship on highway adjacency.

[a]van Roosbroeck et al. (2007); [b]Tonne et al. (2007); [c]Hoek et al. (2002); [d] Hystad et al. (2013); [e]Pedde, Szpiro, and Adar (2017); [f]Brugge, Durant, and Rioux (2007); [g]Yorifuji et al. 2015; [h]Baldauf et al. (2008); [i]Volk et al. (2011); [j]Kan et al. (2008);

Notes: CO = carbon monoxide; NO_x = nitrogen oxides; NO_2 = nitrogen dioxide; $PM_{2.5}$ = particulate matter made of fine inhalable particles, with diameters generally 2.5 micrometers and smaller; pProm = premature rupture of membranes before 37 weeks of pregnancy.

Let me close this section by highlighting Ms. Winkelhake's Press Release Statement:

"***Concern 5*** – ***This project will make the air quality in East Buffalo even worse:*** Based on our analysis, the air quality within the project vicinity will improve overall, and mitigation measures, including tunnel washing, wall treatments, tree plantings, and a dust control plan, will be in place to mitigate impacts to the public."

Clearly, this is not the case as demonstrated above. There has been no long-term monitoring of the air quality directly adjacent to the project area, nor has the NYSDOT provided visual plume dispersal illustrations for carbon monoxide (CO) when their tables show significant increases, like they did for PM2.5, nor will any of the mitigating measures Ms. Winkelhake mentioned above improve air quality in the community – they may, at best, have very limited effect on air quality or none at all.

Building on Current State Investment in the Community

East Side Avenues Initiative

The State of NY working through the University of Buffalo's Regional Institute (UBRI) created a fund and program to redevelop Buffalo's East Side, and specifically four (4) main avenues: Michigan, Jefferson, Fillmore, and Bailey with initial funding of $65 million dollars as part of the State's "Buffalo Billion Phase II Plan".

Part of the East Side Avenues Initiative is to redevelop the local community business districts that, as the 2018 East Side Corridor Economic Development Fund (Spring 2019)[10] stated:

"Why these 4 East Side Corridors? They are primary economic drivers, embracing unique neighborhood character, providing services and amenities to residents and visitors, offering small business opportunities for entrepreneurs, and establishing crucial connections between anchor assets, residential neighborhoods, and employment centers."

"Why these 9 Investment Areas? Through a targeted investment strategy, the areas have the potential to become catalysts for widespread revitalization of the East Side."

Underlining for emphasis added by me.

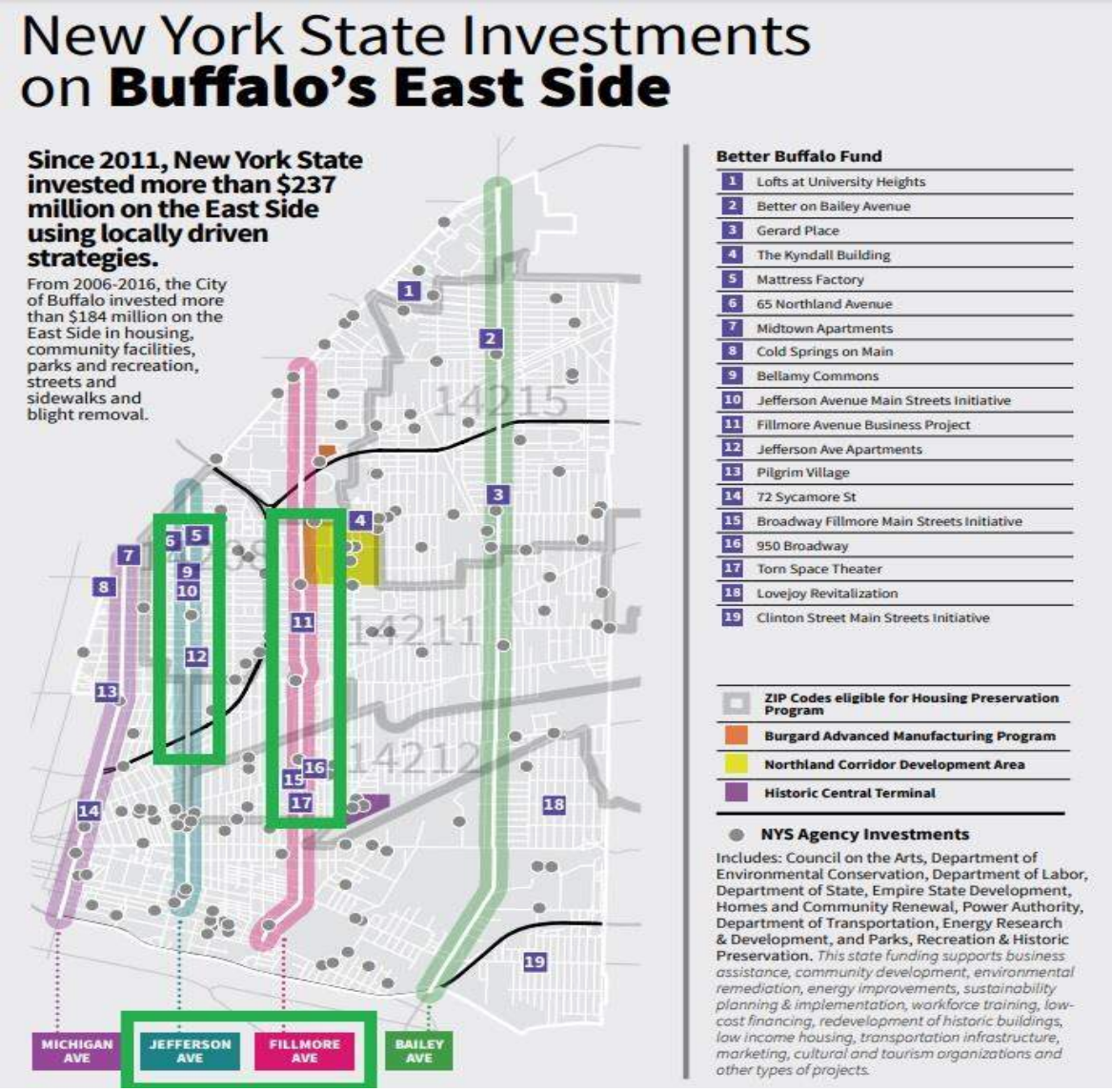
Rebuilding Business Districts

Since the start of the East Side Avenues Initiative, NYS, through its Empire State Development office had **invested over $237 million dollars into the initiative**, helping to stabilize buildings, creating the environment for new small business opportunities, and rebuilding business districts that have historically thrived prior to the creation of the Kensington Expressway and the flight to the suburbs.

Why the State would promote another generation or two of bypassing the very business districts its working hard to restore is beyond me? Why double down on perpetuating advancing truck and car traffic for another couple of generations when infilling the Humboldt section of the Kensington Expressway would help move some traffic back to these avenues to help the business districts and small businesses thrive?

[10] - 2018 East Side Corridor Economic Development Fund (Spring 2019) - https://regional-institute.buffalo.edu/wp-content/uploads/sites/155/2020/10/EastSideStrategies2018DRAFT_MarchFinalDraft_SinglesREduced.pdf

Below, East Side Corridor Economic Development Fund (Spring 2019) Pg. 12 - Jefferson and Fillmore Business Districts are highlighted in green which will continue to be bypassed – for generations.



<u>Infilling the Humboldt Section of the Kensington</u> Expressway

The foundational objective that drove the NYSDOT to the Build Alternative to the exclusion of fully restoring the parkway was the second objective: "Maintain the vehicular capacity of the existing transportation corridor"[11]. This "objective" is not found in any of ROCC's Reasons for the project, so it wasn't a community objective, but a NYSDOT objective. The NYSDOT placed the objective second, after "Reconnecting the community….". This is a bit disingenuous as it leaves the impression that

[11] - Kensington project Poster Project Objectives.pdf
https://kensingtonexpressway.dot.ny.gov/Content/files/ProjectDocuments/Kensington%20project%20Poster%20Project%20Objectives.pdf

"reconnecting the community" and meeting ROCC's goal was the driving force behind the project, when in truth, NYS neglected its obligation to maintain the expressway and its bridges until well past their end of life. So, this project is a bit of a "wolf in sheep's clothes".

A much better solution which does meet ROCC's goals is to infill the Humboldt section of the Kensington in a manner like what Rochester accomplished with its infill of Interstate 490 aka Inner Loop East, of which the NYSDOT and the US Dept. of Transportation, Federal Highway Administration (FHA) were part of the project team. So, the NYSDOT and FHA have a local precedent to draw from. The project infilled 2/3rds of a mile of sunken expressway for a cost of just over $20 Million[12][13], took 8 months to complete (not years and $1.2 BILLION) AND – the project fostered close to $200 Million in private investment in housing. Its success fostered looking at removing the rest of the 1.5-mile segment of the Inner Loop.

Rochester's Inner Loop East Project Benefits[14]: (Underlining – by me)

- "Supporting Healthy Lifestyles and Improving Livability: By providing a boulevard with wide sidewalks and dedicated bicycle facilities while leveraging mixed-use infill development, the project encourages bicycle and pedestrian activity, helping to create a more livable and sustainable community.
- Reconnecting Neighborhoods with Downtown: The project removed a significant barrier to redevelopment in the East End, one of Rochester's most important downtown districts.
- Promoting Development: Completion of this project opened roughly six acres of land to mixed-use redevelopment. Reclaiming this land generated tax revenues, created jobs and generated private investment. The Benefit-Cost ratio of this project was conservatively estimated to be between 1.9 and 2.2.
- Saving Money: Maintenance of this portion of the Inner Loop would exceed the cost of filling the below-grade expressway in and creating an at-grade street, while providing none of the benefits listed above."

What one community can do, another can do.

The NYSDOT's objection is that city streets can not handle 75,000 cars, well get to that later.

Truly Reconnecting the Community

The Build Alternative only supports a partial "reconnecting" of a community. The project does not extend south beyond Best St. where a large portion of houses were purchased and removed to make way for the expressway. The Fruit Belt was severed from Genesee St., its business district, and employment center. When and how does the Fruit Belt get restored and reconnected?

A much better solution is to infill the Humboldt section from Sidney St. to Oak St. thereby truly reconnecting the community that was destroyed by removal of Humboldt Parkway, and displacement of residents south of Best St. Further, an infilled Humboldt Parkway could again reconnect between Agassiz Circle and Delavan Ave. restoring Olmsted/Vaux' parkway vision and making the connectivity

[12] - Stantec - https://www.youtube.com/watch?v=k5pNcIQv9U8
[13] - Detailed Project Budget - https://www.cityofrochester.gov/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=8589957429&libID=8589957416
[14] - Inner Loop East Project Benefits - https://www.cityofrochester.gov/InnerLoopEast/

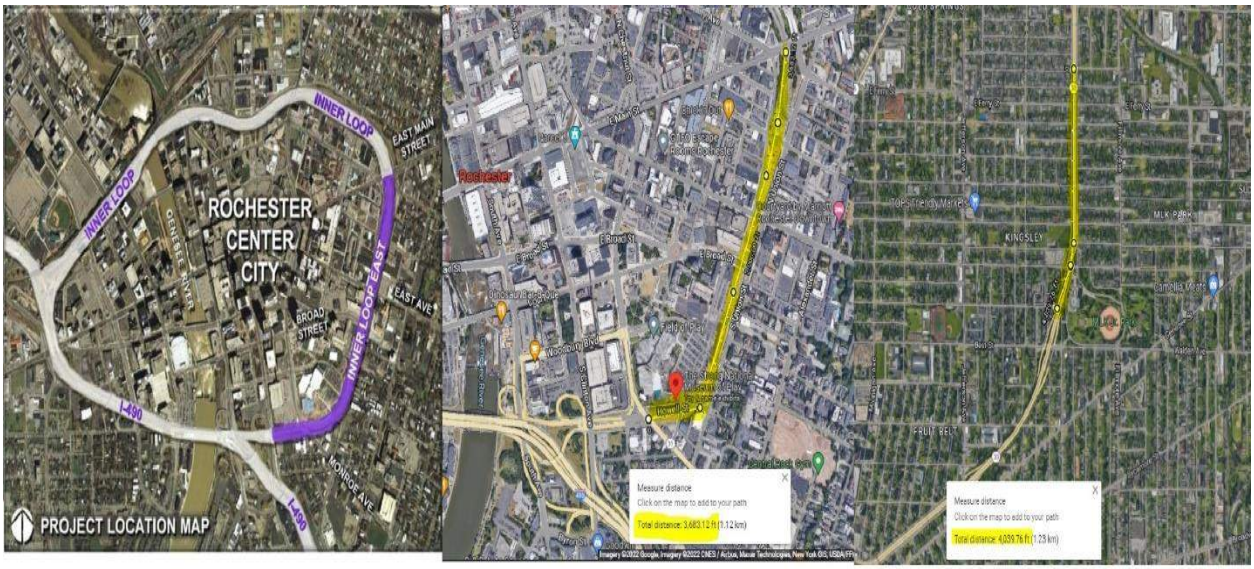
between MLK Park and Delaware park a reality – as ROCC envisioned. The current Alternative Build will never facilitate that connection due to the cap of Scajaquada Creek being only 5 feet under the Kensington expressway. Expressions of a Phase II and III for this project give false hope to the community as NYS will be in a budget deficit of $36 BILLION dollars over the next 3 years[15] – and possibly beyond that.

Cost

As a practical matter, public funds should be used for the greatest public benefits. Public money should foster better communities and quality of life, better public health, spawn economic development, and incentivize private investment. This Build Alternative does none of that. It's a $1.2 Billion dollar project that cements in place more generational inequality, perpetuates poor health outcomes, doesn't facilitate redevelopment of the Jefferson and Fillmore Business Districts, nor reconnects the Fruit Belt with Genesee St community, nor allows for Olmsted/Vaux Parkway system to be surfaced again.

It's a multi-generational mistake.

When Rochester can infill 2/3rds of a mile of sunken expressway for $22 Million, and where we are spending $1.2 Billion for 3/4ths of a mile – the public's money is not well-spent – its criminal.



Rochester Inner Loop Infill

3,683 Feet = $22 Million

https://www.fastcompany.com/90795760/what-happened-when-rochester-tore-out-an-urban-highway

Kensington Cap

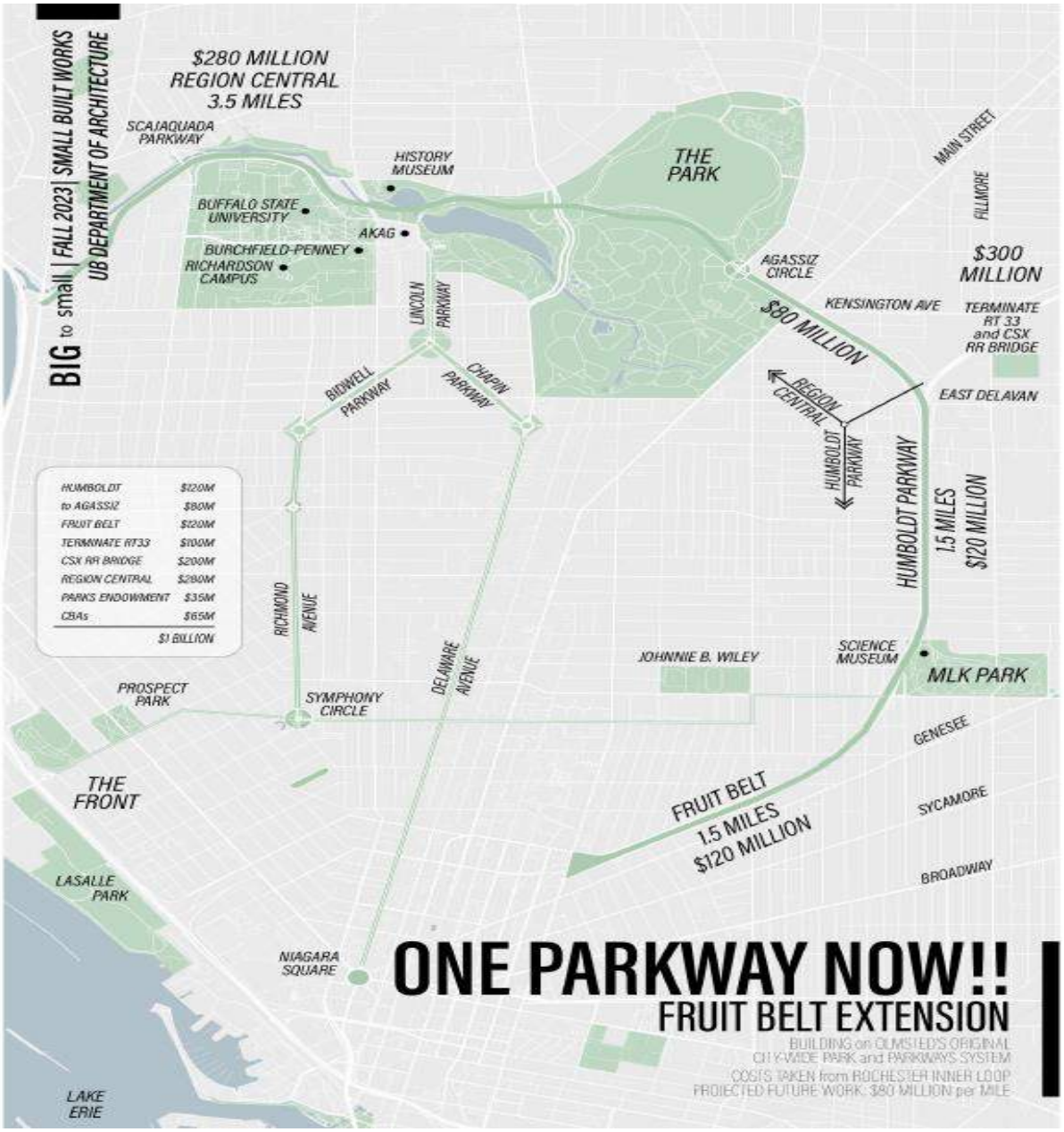
4,039 feet = $1.1Billion

https://www.cityofrochester.gov/InnerLoopEast/

[15] - DiNapoli: State's Fiscal Outlook Declines
https://www.osc.ny.gov/press/releases/2023/07/dinapoli-states-fiscal-outlook-declines

Below are the estimated costs of a completely restored parkway with an extension past Best St. to reconnect the Fruit Belt to Genesee St. and community. Estimates are based on the Rochester North Loop estimates per mile of roadway remediated. $280 Million for the Greater Buffalo Niagara Regional Transportation Council's (GBNRTC) "Region Central" work on the Scajaquada Corridor. $80 Million for the Agassiz Circle to Delavan section to reconnect the Olmsted/Vaux Parkway System. $120 Million to infill the Humboldt Section of the Kensington Expressway, and $120 Million to infill the Expressway south of Best St. to Oak St. with a $35 Million "endowment" to maintain the parkway. At a total estimated cost of $675 Million.

Illustration and estimates from UB Dept. of Architecture Urban Studio "Small to Build Works" Fall 2023 class.



A much better use of public funds to reconnect communities, help move some traffic to the business districts that NYS (East Side Initiative and Empire State Development) is trying to rebuild.

Traffic Dispersal

The number one reason given for not infilling the Humboldt Section of the Kensington Expressway is the inability of city radials being able to handle 75,000 vehicles per day, and in the increase of pollution in the city via idling vehicles at traffic lights.

Looking at the EA – Appendix D7 – Air Quality Technical Report16 – pg. 11, the 75,000 vehicles per day volume is broken down by hour – highlighting peak inbound and outbound counts at the NYSDOT's Sidney St. automated traffic recorder (ATR) count station.

"The traffic study provides AM and PM peak period traffic volumes for existing conditions (year 2021), year 2027, and year 2047. The PM10/PM2.5 analysis requires traffic data for a minimum of four time periods to cover a 24-hour day (AM Peak, Midday, PM Peak and Overnight). The specific hours to be represented by each of these time periods were determined based on analysis of the available 24-hour traffic count data for NYS Route 33 at the automated traffic recorder (ATR) count station located near Sidney Street (#28) as shown in Figure 3."

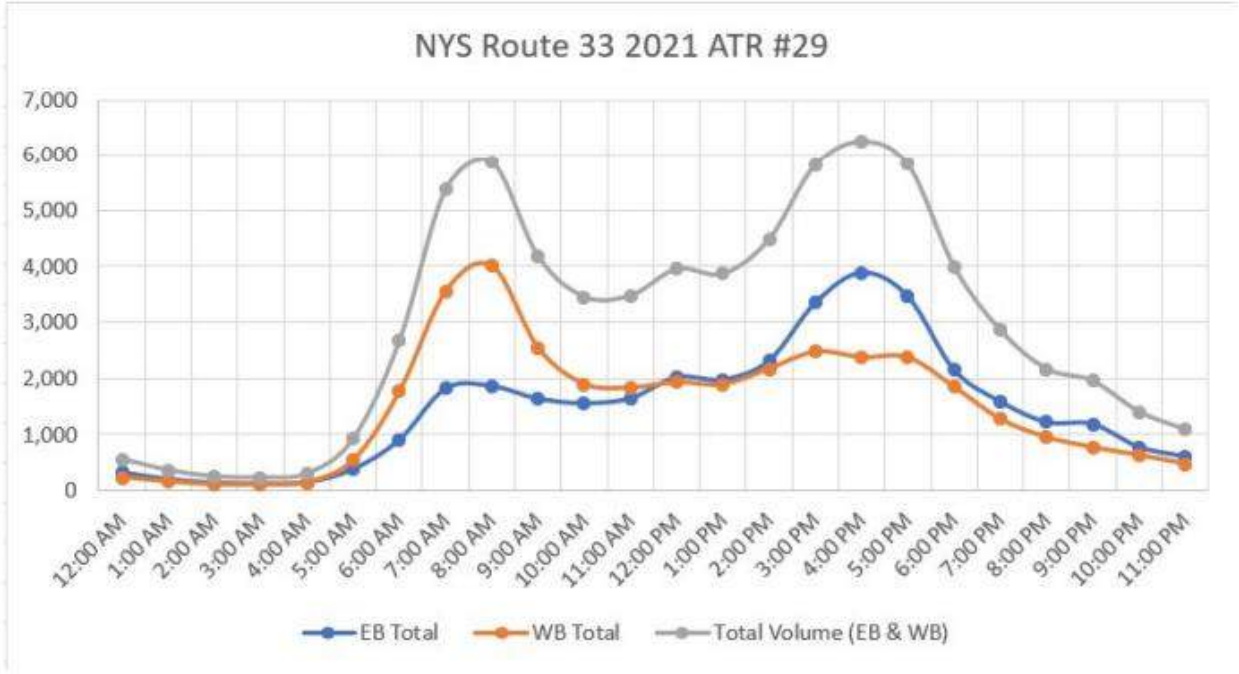


Figure 3: NYS Route 33 Existing 24-hr Traffic Counts

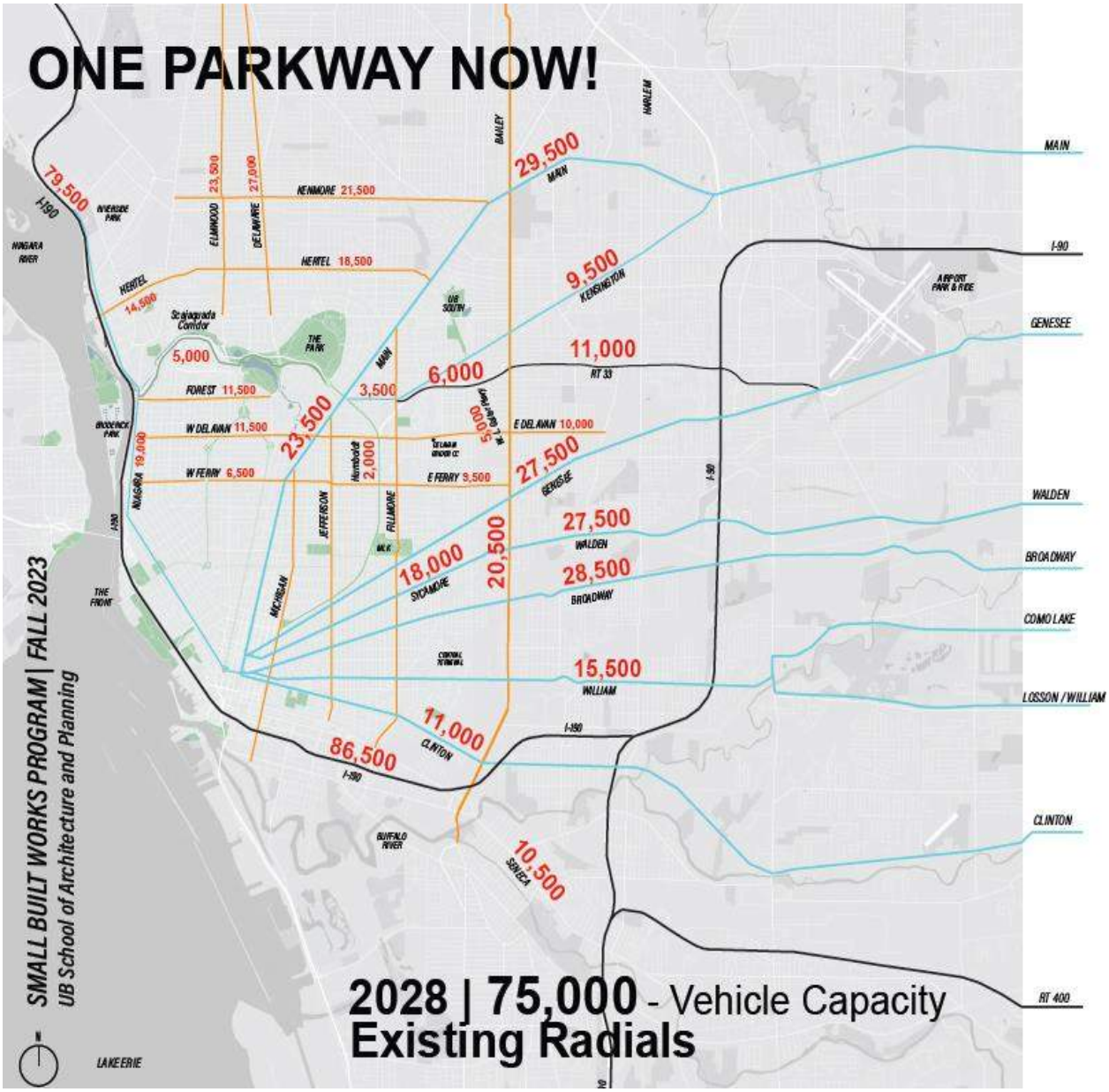
Peak volume registers at about 6,000 vehicles combined during the morning "rush hour" and about 6,200 vehicles combined during the afternoon "rush hour." For most of the remaining time between peak hours, traffic is between 3,000 - 4,000 vehicles per hour.

[16] - EA Appendix D7 Air Quality Technical Report
https://kensingtonexpressway.dot.ny.gov/Content/files/DraftDesignReport/Appendix%20D7%20Air%20Quality%20Technical%20Report.pdf

City Radials

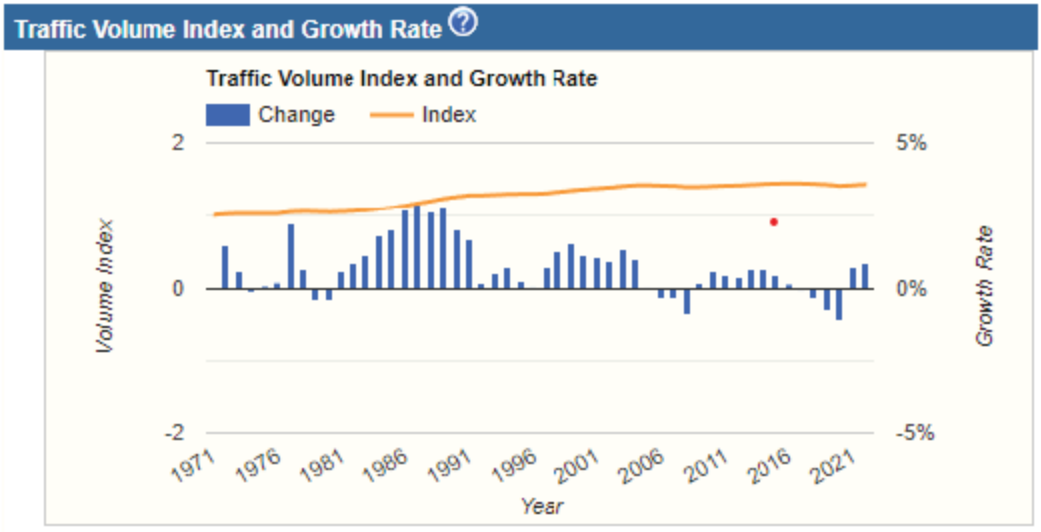
Using GBNRTC data, a local community coalition put together these illustrations on the radials and their ability to handle traffic built on the work of UB Graduate students from the above-mentioned urban studio.

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ONE PARKWAY NOW!
SMALL BUILT WORKS PROGRAM | FALL 2023
UB School of Architecture and Planning
2028 | 75,000 - Vehicle Capacity
Existing Radials
79,500
I-190
NIAGARA RIVER
RIVERSIDE PARK
ELMWOOD
DELAWARE
23,500
27,000
KENMORE 21,500
HERTEL 18,500
HERTEL 14,500
Scajaquada Corridor
5,000
FOREST 11,500
W DELAWAN 11,500
W FERRY 6,500
BIDDLECK PARK
NIAGARA 19,000
I-190
THE FRONT
THE PARK
MAIN
3,500
6,000
23,500
Humboldt 2,000
JEFFERSON
FILLMORE
MLK
MICHIGAN
BAILEY
HARLEM
29,500
MAIN
9,500
KENSINGTON
DB SOUTH
E DELAWAN 10,000
E FERRY 8,500
GENESEE
27,500
27,500
WALDEN
18,000
SYCAMORE
20,500
28,500
BROADWAY
CENTRAL TERMINAL
15,500
WILLIAM
11,000
CLINTON
86,500
I-190
BUFFALO RIVER
SENECA
10,500
LAKE ERIE
MAIN
I-90
AIRPORT PARK & RIDE
GENESEE
11,000
RT 33
I-90
WALDEN
BROADWAY
COMO LAKE
LOSSON / WILLIAM
I-190
CLINTON
RT 400

ADT via GBNRTC

- Using data from the GBNRTC, traffic on arterial roadways is shown to decrease west of **Bailey** Ave.
- Between **William** and **Main**, average ADT (Average Daily Traffic) on Bailey is about **16,500**.
- For example, the ADT on **Genesee St**. approaching downtown is about **6,750**.
- The same phenomena happens with other arterial roadways as they cross west of **Bailey**.
  - Notice the difference between **Walden** and **Sycamore**.
  - **West of Bailey, Main St**. has an ADT of about **17,000**.
- The Kensington Expressway (RT-33) handles anywhere between 60,000 ADT and 85,000 ADT (near the I-90 interchange).
  - Along the Humboldt Pkwy, RT-33 averages around 70,000 ADT.

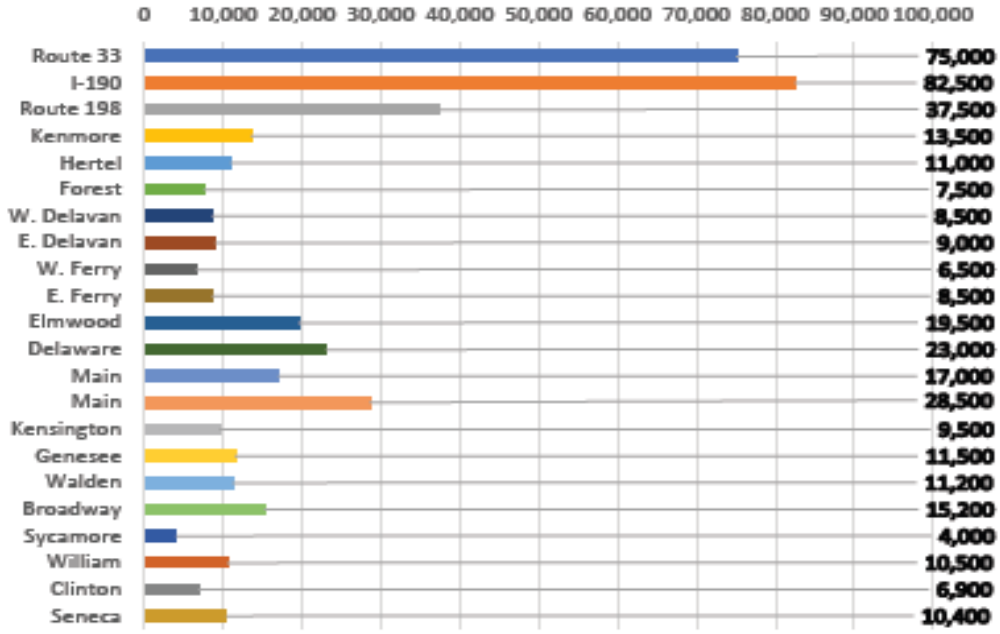


Traffic volume index chart as shown on the GBNRTC website.

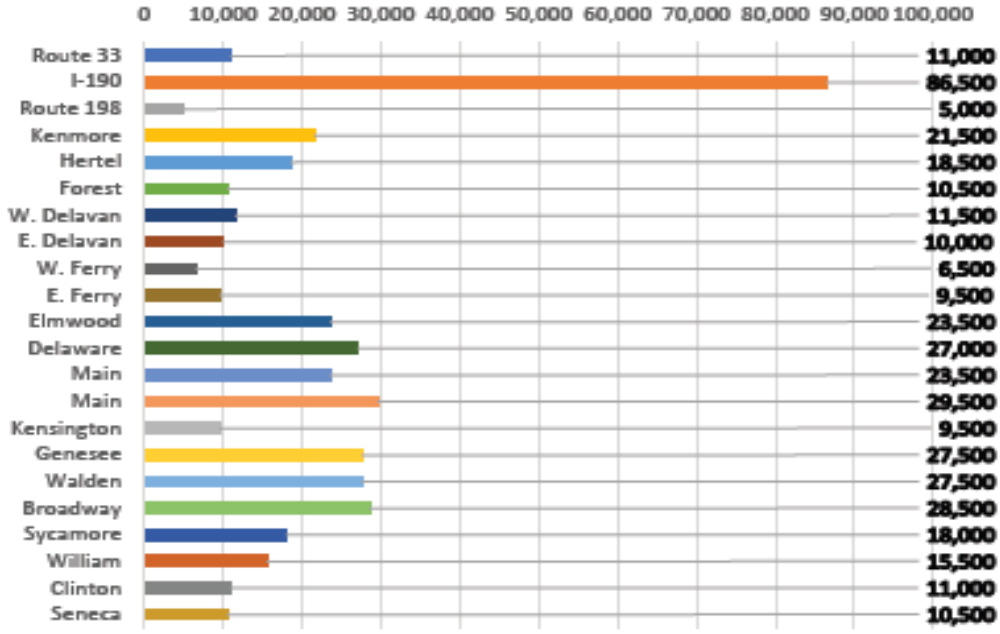
One Parkway Now!! AADT

- Existing Arterials take a portion of Route 33 capacity.
- Where do the cars go with a terminated Route 33?

2022



2028

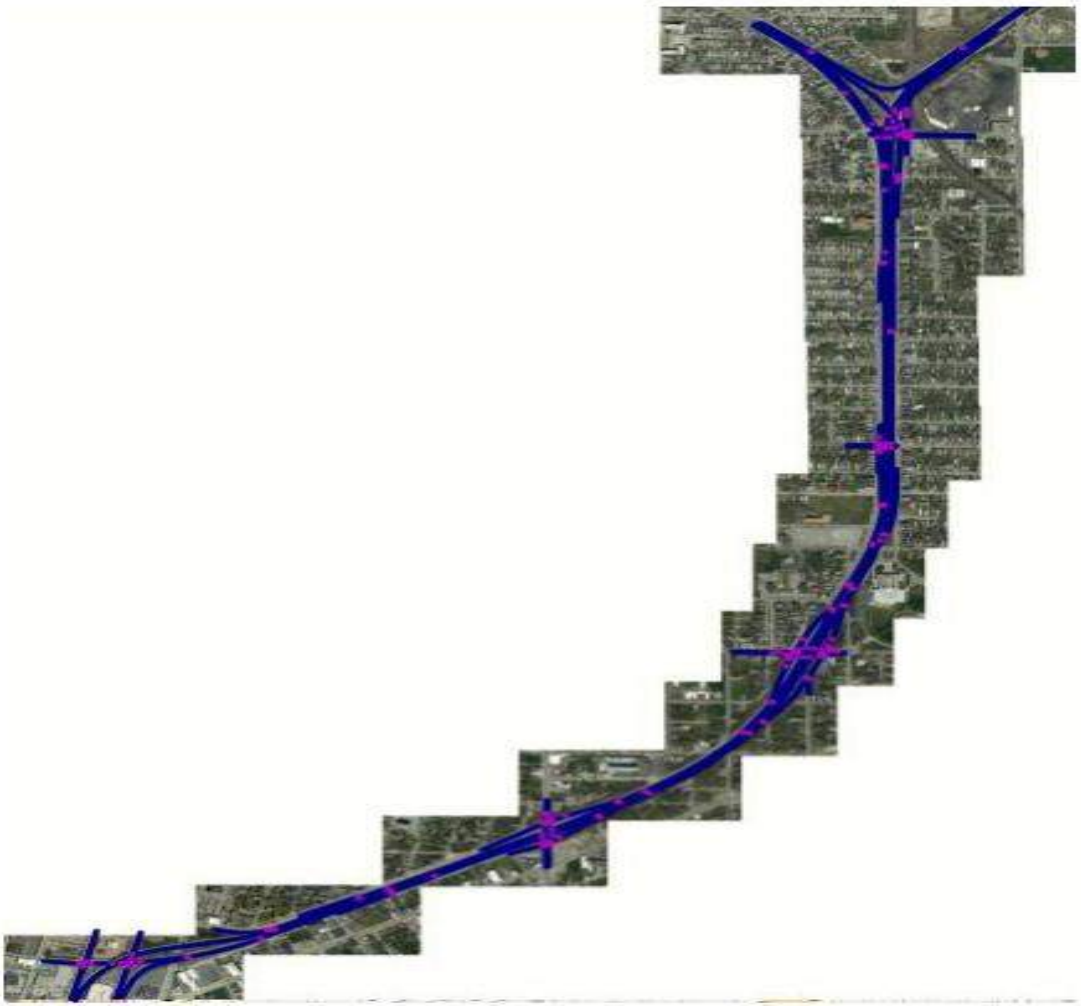


1200

The NYSDOT foundational objective of "Maintain the vehicular capacity of the existing transportation corridor", eliminated the need for them to run a traffic simulation for Build Alternative Concept 10. So, it's hard to say what the impact would be on city radials as it's just an uninformed opinion without data.

VISSIM Modeling from the Project Scoping Report – December 2022 – Appendix C – Preliminary Traffic Study – Figure 1 (page 5 of the Vissim Development & Calibration Report)[17] only models' traffic in the envelope illustrated below. **It does not model impacts to city traffic from a downgraded Humboldt section – Concept 10. As a matter of fact, Concept 10 – Removal of the NYS 33 including Reestablishing the former Parkway Setting was not included in the Traffic Study.**

Figure 1 – VISSIM Model Limits



Idling and Wait Times

17 https://kensingtonexpressway.dot.ny.gov/Content/files/ScopingReport/Appendix%20C%20Preliminary%20Traffic%20Study.pdf

While the NYSDOT may have a valid point on Idling pollution and wait times, its just an uninformed opinion without data to back up its assertion. StreetLight Data Inc.[18] or AirSage origin-destination data[19] should be obtained from either company for an area encompassing northern origin communities – Amherst and Williamsville, and communities west of the city – Clarence, Lancaster, Cheektowaga, as well as traffic exiting the I-90 inbound to Buffalo. Destinations should encompass all of downtown and the area from Baliey Ave to Elmwood as traffic inbound from other areas would take alternate routes into the city (the 290 to I90, and 90 to the 190), and likewise most often than not, take the same routes back out of the city.

The origin-destination data could then be applied to a tool like VISSIM to model how Concept 10 **– Removal of the NYS 33 including Reestablishing the former Parkway Setting** – would actually impact city street traffic. Anything less is storytelling.

Smart Traffic Solutions

As the NYSDOT proposed mitigating measures to reduce air pollution near the tunnel portals, one technology that is deployed in WNY (Amherst and Tonawanda) is Milovision[20]. The GBNRTC is running a Smartly Enhance Multimodal Arterials (SEMAs) Project[21].

[18] - Streetlight Data – Origin-Destination modeling https://www.streetlightdata.com/origin-destination-od-study/
[19] - AirSage – Trip Matrix - Origin-Destination modeling https://airsage.com/solutions/custom-trip-matrix/
[20] - Milovision https://miovision.com/solutions/traffic-optimization-analytics
[21] - GBNRTC SEMA Project https://static1.squarespace.com/static/56ccbbfd3c44d8670dbd1d84/t/63adba354225e03b7800e346/1672329786793/APPROVED+SFY+22-24+GBNRTC+UPWP+Document+3-4-22.pdf

Smartly Enhanced Multimodal Arterial (SEMA) Demonstration Project

Related Federal Planning Factor(s): 2, 4, 6, 7
Related 2050 MTP Goal(s): 6, 9

Objective: Identify and develop Smartly Enhance Multimodal Arterials (SEMAs)
Performed by: MPO Staff
Estimated Start/Duration: September 2022 – March 2023
Proposed Funding: $84,389
Product: SEMA Demonstration Corridor

- Consistent with Moving Forward 2050, the GBNRTC will further define a Smartly Enhanced Multimodal Arterial through a demonstration corridor study. New technologies, upgraded street features and emerging transportation services will be considered along these corridors to create Smartly Enhance Multimodal Arterials (SEMAs) that offer a range of convenient transportation options.
- The selected corridor will work with the Next Generation Freeways to accommodate rush hour traffic using coordinated and priority signals. SEMAs will make transportation throughout the region safer and more efficient while reactivating corridors with infrastructure improvements that promote reinvestment with spin-off benefits for nearby communities and the regional economy.
- Based on initial research, a demonstration corridor will be selected, and the concept refined with specific attributes and functions. Initial schematics will be developed as well as conceptual cost estimates.

Smart Cities Next Generation Adaptive Signals and Technology

Related Federal Planning Factor(s): 6
Related 2050 MTP Goal(s): 9

Objective: Advance next generation signals initiative
Performed by: GBNRTC staff, NITTEC, various municipalities
Forecast Start: April 2022, Ongoing
Proposed Funding: $54,353
Product: Acquisition and utilization of real time traffic data in a demonstration corridor and development of an advanced signalization pilot

- Based on emerging technology and autonomous vehicle introduction and consistent with Moving Forward 2050, staff will continue to perform a review of possible next generation signalization and applicability to the metro region.
- Acquisition of real time traffic data will continue and expand in support. Completion of the updated traffic signals inventory will also be developed in conjunction with NITTEC.
- Staff will continue to work with the Town of Amherst, Town of Tonawanda and other local municipalities interested in the adaption of Miovision signal detection technology.

Maintenance

It's my understanding from Mr. Fontana, who represented the NYSDOT at the Jes Breathe Block Club public discussion on the 33 on October 19th at the Buffalo Science Museum, that annual maintenance for the tunnel will be approximately $5 Million/year. It's also understood that the mechanism and entity to maintain the tunnel cap has not been determined.

Who's going to maintain the cap?

It's assumed that Buffalo Olmsted Parks Conservancy could be responsible for maintaining the greenspace on the tunnel, yet no funding or agreement is in place. I can't envision the city of Buffalo maintaining it as they have a difficult time as it is maintaining what they already own. I can't see NYS Parks maintaining it either as its not in the scope of work or control.

I believe the tunnel annual maintenance funding is better spend on maintaining an infilled Humboldt section of the Kensington Expressway, connecting both the Scajaquada and Humboldt parkways via Agassiz Circle connector, and the additional of the Fruit Belt extension than maintaining a tunnel that is only used by people who don't get out of their cars. Further, with an infilled parkway, the only maintenance costs are road repaving and not more costly – trench wall or bridge repair. And with the infill continuing south of Best St., there is no need to replace the High St. and Jefferson bridges that must be in the same condition at the bridges in the Alternative Build project area.

Community Outreach Process

Throughout this process the NYSDOT, like most government agencies, has controlled the process so tightly that in doing so it excludes meaningful outreach and communication. While some level of control is needed to move the process forward in an organized and meaningful manner, projects like the Build Alternative proposed here, requires, no demands… more proactive outreach and community interaction – allowing the community to understand the project, what is truly intended, and the reasons for it. As opposed to canned presentations and multi-page documents that require expertise to determine whether what is being written or stated is true, as well as the impact to the community, as this is a multi-generational impacting project. It cannot be rammed through.

It's been stated multiple times that the NYSDOT met with ROCC during monthly stakeholder meetings, but those meetings were never public or published for residents to attend. And they represented members mainly from the Jefferson-side of the Expressway, so a whole community on the Fillmore-side of the Expressway was left out, hence the Jes Breathe Block Club public discussion on the 33 on October 19th was needed to give that Fillmore Community an opportunity to weigh in. NYDOT press conferences where community representatives were present were invitation only. NYDOT Public Meetings allowed for limited timed public comment but no questions.

Sadly, Ms. Winkelhake's Press Release Statement (October 26, 2023) stated: "… those opposed to the project have filled the void by largely spreading misinformation and exhibiting a misunderstanding about what can and cannot be done with the project."

Why was there a "void" in the first place? If residents and community minded people are spreading "misinformation" and "exhibiting a misunderstanding" whose fault is that? The Press Release and

comment only validates what is clearly obvious – outreach to all the community was poor at best.

Insufficient Outreach

As late as the Jes Breathe Block Club public discussion on the 33 on October 19th at the Buffalo Science Museum, as demonstrated by the turnout, many in the community don't know much about the project, are misunderstanding aspects of it, are asking questions that have not been answered sufficiently. While noble to open the NYSDOT Community Outreach Office, located at 878 Humboldt Parkway, it's a passive outreach. Residents on Humboldt Parkway itself, only recently, knew about the project, mainly from concerned community residents and community advocates going door-to-door communicating with residents. Many don't have the time or inclination to pour over thick documents and appendices – it's a community of dialogue.

I would say that many residents still don't know about, or much about, the project, and as by their statements at the last NYSDOT public meeting, and from questions asked at the Jes Breathe Block Club public discussion, people are still misinformed. Whose fault is that? Especially if residents are misunderstanding the project and may be propagating poorly understood information.

Sadly, leadership on all levels of City government was also absent from this process. Especially, after the sad tragic event of May 14th, 2022, on Jefferson Ave. where community leaders touted healing the community – where are they found in meetings and public comments? It's duck and cover.

In Conclusion

Due to the following:

1. Lack of sufficient community outreach, and
2. Lack of sufficient and location specific air monitoring, and
3. The current Alternative Build tunnel cap increases CO levels upwind of schools, the Buffalo Science Museum and Charles Drew Magnet school, and
4. There is no plan for "Asbestos Containing Materials" – much of which was inaccessible for testing, and
5. The already high community health issues for Asthma, Heart Disease, and Low Life Expectancy, and
6. the NYSDOT's Project Objective: ": "Maintain the vehicular capacity of the existing transportation corridor" that automatically removes a restored parkway option from community consideration without a comprehensive origin-destination traffic study, and
7. That the current Build Alternative will never allow the Humboldt Parkway to be restored and connected with the Scajaquada Parkway to recreate Olmsted/Vaux's vision, and
8. That this Build Alternative leaves out reconnecting the Fruit Belt with the Genesee community, and
9. That this Build Alternative doesn't meet ROCC's original objectives, and
10. Rochester, with the NYSDOT and FHA as partners, infilled the 490 "Inner Loop East" sunken expressway as a much cheaper price and wise use of taxpayer money, that facilitated $200 Million in private housing investment, and
11. Its plainly a solution that will cement in place, another 50 years of health issues in the community,

I respectfully request the NYSDOT, and Governor Hochul to listen to the community – the whole community and reassess this project and take a serious look at restoring the Humboldt Parkway and

One Parkway Now! Concept after completing a comprehensive traffic study including all radials coming into the City of Buffalo and surrounding communities to determine – truly, the impact of a restored parkway as envisioned and designed by Olmsted and Vaux.

Respectfully submitted,

Carl Skompinski
Williamsville, NY 14221

From: Dana Slawson
To: dot.sm.kensingtonexpressway
Subject: Buffalo Kensington Expressway/Olmstead Parkway Capping Project
Date: Thursday, November 9, 2023 1:41:48 PM

Dear Mr. Vaidya and Mr. Seymour:

I'm writing today as a 30+ year resident of the Buffalo area and as a historic preservation professional (SUNY Bflo, MArch '89). I have deep concerns regarding the proposed FHWA/NYDOT plan to cap a mile-long portion of the Kensington Parkway that traverses Delaware Park. As you are aware, the Expressway bisects the National Register of Historic Places-listed and nationally significant park and parkway system designed by Fredrick Law Olmsted and Calvert Vaux. The Cultural Landscape Foundation's President, Charles A. Birnbaum, has stated that it is a potential National Historic Landmark candidate as well. It is my firm belief that, without an Environmental Impact Statement and a Cultural Landscape Report, reviewing agencies and decision makers lack sufficient context and understanding for determining the appropriateness of capping the Kensington Expressway. As currently proposed, I fear that a once-in-a-lifetime opportunity to return the former Humboldt Parkway to something better reflecting the original design intent of Olmstead and Vaux, and therefore, more appropriate and in accordance with the Secretary of the Interior's Standards, will be squandered.

Buffalo has demonstrated its ability to successfully steward nationally significant properties that have been on the brink of erasure. The Darwin D. Martin House complex, located in the Parkside Historic District laid out by Frederick Law Olmsted, Sr., has been the beneficiary of a $50 million restoration to recapture Frank Lloyd Wright's design intent. Shouldn't the nationally significant park system be afforded the same opportunity?

Thank you for your further consideration of this important matter.

Sincerely,

Dana Slawson, MArch.

Principal, Greenwood & Associates, LLC

-----Original Message-----
From: John Slosson
Sent: Tuesday, October 24, 2023 9:44 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Slosson , John
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Property owner in Buffalo and resident
Comment: I feel this project is a waist of money and time. I don't see how it will improve quality of life for anyone. I feel it's a white elephant project similar to what was done to Main Street downtown The money for this project should be spent on resurfacing buffalo streets. Timing traffic lights repairing the infrastructure of Buffalo. And making Buffalo more of a smart city. Sincerely. John slosson

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-----Original Message-----
From: George Welsted
Sent: Monday, October 23, 2023 10:31 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Smith, George
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Buffalo Resident
Comment: The Governor and the entire NYSDOT ought to be ashamed of themselves for considering this project. NYSDOT doesn't have the budget to properly maintain its current infrastructure, yet there is the consideration of hanging this abomination around its neck. The upfront cost, not to mention the excessive ongoing maintenance of such and unnecessary structure, is reason enough to laugh any government official or employee trying to push this project on the public off the stage. The public doesn't want this. I was recently informed that a construction contractor lobbying group, AGC, was contacted by a "NYSDOT Region 5 employee" that hinted more positive comments will be needed to get this project over the finish line as the public response has been generally negative. How about instead of trying to override the will of the people, you just listen to them. The people do not want this. They have been telling you this to your face. I implore you, do not ignore them. Do not build this project.

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From: on behalf of Jennifer Smith
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project
Date: Wednesday, October 25, 2023 8:16:18 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Mrs. Jennifer Smith

-----Original Message-----
From: SHIRLEY
Sent: Friday, October 27, 2023 8:51 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Smith , Shirley
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I believe putting a tunnel in is a waste of money. I lived in the city near the area where they put the expressway. Many people were displaced not just the people on Humboldt Parkway. People In Cheektowaga were displaced and their community separated. Are you going to fix it for them. What about Riverside. The Thruway ruined that neighborhood. Use the money to fix the infrastructure. The sewers and water pipes are ancient. My family still lives in Buffalo. There are a lot of things that the money can be used for that would benefit many. Not a few.

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From: ian sobocinski
Sent: Friday, November 3, 2023 12:45 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Sobocinski, Ian
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I implore the DoT to pause the project, allow for further public, and commence a full study on the full restoration of Humboldt Parkway. The following impact statements by advocacy groups articulate the currently-proposed project:
https://www.eastsideparkwayscoalition.com/#A-Plan-That-Works-For-Everyone
https://www.bfloparks.org/positions/bopc-position-on-the-kensington-expressway-rte-33/
https://www.cacwny.org/2023/10/clean-air-calls-for-comment-period-extension-and-full-environmental-impact-statement-for-nys-rt-33-project/
Bottom line:
The preferred solution for the Kensington Expressway (Route 33) is to fully restore Olmsted's original design for Humboldt Parkway.
If the full restoration of Olmsted's Humboldt Parkway is not a viable solution, the DoT should support the design option chosen by the community through a comprehensive and transparent engagement process.

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Ian Sobocinski
Date: Friday, November 3, 2023 12:06:02 AM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

i do NOT want this opportunity for our city to pass us by. The project, as it is currently proposed, will fundamentally change NOTHING in the city.

Name

Ian Sobocinski

Email

Date

11/3/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: William Sobocinski
Sent: Thursday, November 9, 2023 8:07:16 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: ,William Sobocinski
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: east side parkway coalition
Comment:

To The New York State Department of Transportation
I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
I do NOT want this expressway to cut through our neighborhoods—period!
I DO want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to "build" and "no build," including expressway removal.
I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

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From: Nick Solly
Sent: Friday, November 3, 2023 10:26 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Solly, Nick
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I am against the proposed cap on the Kensington Expressway. I believe the only way forward should be the full removal of the highway and restoring Humboldt Parkway to Olmsted's original plan. One of Buffalos biggest mistakes was spitting this neighborhood in half to support faster commutes for people moving to the suburbs. We need to right the wrongs that have been done in the past. Investing more than 1 billion dollars in an urban highway in 2023 is completely backwards way of thinking when more and more cities are removing these highways in favor of building stronger communities where people actually want to live.

The only way I could support this plan would be replacing the vehicle traffic with an underground tunnel for a subway system. Investing in green infrastructure not only will help with emissions but also can get people to where they need to be efficiently and easily.

Please do the right thing for this community, they deserve better.

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From: Mark Sporysz
To: dot.sm.kensingtonexpressway
Subject: KENSIGNTON EXPRESSWAY
Date: Thursday, November 9, 2023 12:49:48 PM
Attachments: image003.png

Hello,

I vote against wasting any money on this project.
Scrap the foolish idea and spent the money fixing the local bridges in the area.

Thank you,

Mark Sporysz | **Senior Design Engineer**
160 Elmview Avenue, Hamburg, NY 14075 | USA
Office - 716.312.0088 ext. 148 | Fax - 716.312.0028
www.khindustries.com

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From: Tom Steffan
Sent: Friday, October 27, 2023 2:42 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Steffan, Thomas
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Preservationist.
Comment: Fill the ditch. Bring back the entire parkway, from Delaware Park to the Parade Grounds. Be true to Olmsted's legacy.

You can reverse engineer the Kensington Expressway. Ms. Winkelhake doesn't give herself any credit for being resourceful with traffic diversion away from the neighborhood and shows little confidence in drivers to slow down on a parkway, to participate in the new Buffalo community.

You can use all of that money for other transportation projects, but this radial arm of Olmsted's hub should get the same look and neighborhood feel as Chapin Parkway, Lincoln Parkway, Bidwell Parkway, and Soldier's Circle. Don't we owe this to East Buffalo!

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From: Lynda Stephens
To: dot.sm.kensingtonexpressway
Subject: Comments dated Oct. 19, 2023
Date: Thursday, October 19, 2023 1:02:00 PM

I moved from Buffalo, NY in Oct. 2022 due to traffic safety concerns - my home was a half block from Delaware Ave.
I have used the Kensington Expressway since it was built. My background includes numerous occasions to promote social justice as an individual as well as an NPO member.
My assessment of the proposed project is that it is a political project, not a community based project. It appears to be more "symbolic" than practical. The costs will increase dramatically prior to completion. Capital funds - those scarce resources, should be appropriated towards efforts to benefit the community targeted in the proposed project. For example, purchase of new snow plows and other snow fighting equipment, new fire engines, new police cars, and new neighborhood parks, for example along the Smith St./Clinton St. corridor (now vacant land). Community members can certainly add other capital oriented projects to this list.

From: Kyle Stillwell
Sent: Thursday, October 26, 2023 4:51 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Stillwell, Kyle
Address: ,
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: The destruction of Humboldt Parkway in the 1960s was a crime against Buffalo, and in particular against the Black communities living in the neighborhoods around the parkway. Now DOT is proposing to double down on that mistake with their $1B plan to cap part of the Kensington Expressway. This is not an acceptable solution. Only the complete removal of the expressway, and the restoration of Humboldt Parkway in its entirety can repair the mistakes of the past. The time of urban highways is thankfully coming to an end, as communities throughout the country, and even here in NYS, begin the process of removing these outdated scars on our urban landscapes. Even here in Buffalo, the Scajaquada Expressway has received the proper research and study, and the consensus is clear: the expressway is not needed and the people who live there don't want it. The same is true for the Kensington Expressway. It can be filled in for a fraction of the proposed $1B. Do the right thing. The time is now.

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-----Original Message-----
From: Pamela Stillwell < >
Sent: Saturday, October 28, 2023 9:45 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Stillwell, Pamela
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I am opposed to the current plan and feel they did not conduct adequate traffic studies to see the effect on traffic on alternative roads. The construction will also be a risk to the health of the people living in the community.

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-----Original Message-----
From:
Sent: Saturday, October 28, 2023 12:22 PM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Stillwell, Anna
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I like the idea of restoring the original Parkway, in all the areas it was removed. However, I don't like the idea of the tunnel. We don't need to have car centric plans, especially in the middle of the city. We don't need a highway, even in tunnel form, in the city of Buffalo. Rather it would be better to return the parkway to what it once was and invest in infrastructure that does not require cars. Like connecting the rail system to the airport.

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- Anna
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From: Conor Stillwell
To:
Subject: Comment on proposed Kensington Project
Date: Saturday, October 28, 2023 9:45:49 AM

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I am writing to express my opposition to the proposed Kensington project. If the DOT's plans are executed it will be yet another historic failure in the region's transportation planning. The original 33 plans were destructive to the city's east side and even permanently destroyed garden space in Delaware Park.

Now we have an opportunity to restore some of the city planning that originally included one of the world's premier park systems.

There are several reasons for my opposition:
1. The citizens of Buffalo, including much of the African American community on the East Side are overwhelmingly opposed to this project. The urban planning community in particular has opposed this project at every step. A project of this magnitude would not be forced down the throats of suburban white residents, yet here we see the state DOT attempting to force plans onto a low income community of color while disregarding their voices. This is systemic racism, simply put.
2. Environmental impact studies have been insufficient and it is possible that air quality will worsen on both ends of the tunnel.
3. The 33 is unnecessary for moving vehicles, it has simply resulted in urban population loss. Adjustments to the 90 could be made to replace the portion of the 33 running through the city and investment placed in public transit.
4. The depth of soil would be inadequate to restore the original parkway to Olmsted's plans, permanently disrupting the city's ability to return to its original planning. Since the parkway would not connect to Delaware Park this would be a disappointing end result ensuring that Buffalo will never return the former glory of its park system.
5. Climate change necessitates that we stop prioritizing vehicular traffic and instead focus on green modes of transit. This plan sustains dependence on vehicles. All urban planning for transportation needs to be completed with a transition off of car-dependence in mind.
6. The cost of such a project is absurdly high, it would be significantly cheaper to remove the 33 and restore the original parkway as designed by Olmsted. This could also cover the costs of expanding the 90 in order to handle increased vehicle traffic offset from the 33.

I urge the DOT to listen to our concerns and cancel the plan. This is a historic opportunity to put Buffalo on the map again by recreating one of the original crown jewels of the Olmsted park system. We don't need flashy, rushed, ill-planned, multi billion dollar projects. We need thoughtful, forward-thinking plans that consider the needs of the city residents now and generations into the future. Simply put this means deprioritizing highways and creating high density, walkable neighborhoods with public transit. Anything less is a waste of taxpayer dollars and another mistake in the tradition of the urban decay architected by Robert Moses.

We can do better for our city, let's go back to the drawing board, think big, and come up with a new plan.

Thank you,

Conor Stillwell
Concerned Resident

November 9, 2023

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
and
NEW YORK STATE DEPARTMENT OF TRANSPORTATION

RE: Comments pertaining to NYS Route 33, Kensington Expressway Project
Project Identification Number (PIN): 5512.52
City of Buffalo
Erie County

The following comments regarding this project are presented your consideration.

Title VI of the Civil Rights Act of 1964 requires that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." As a recipient of federal transportation funds, the NYSDOT must comply with Title VI of the Civil Rights Act of 1964, as amended, and related statutes in all of its business operations and practices as required in 49 CFR Part 21 and related applicable statutes.

Under Title VI and related statutes, each Federal agency is required to ensure that no person is excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving Federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. The Civil Rights Restoration Act of 1987 clarified the intent of Title VI to include all program and activities of Federal-aid recipients, sub recipients and contractors whether those programs and activities are federally funded or not.

The National Environmental Policy Act of 1969 (NEPA) addresses both social and economic impacts of environmental justice. NEPA stressed the importance of providing for "all Americans safe, healthful, productive and anesthetically pleasing surroundings" and provides a requirement for taking a "systematic, interdisciplinary approach" to aid in considering environmental and community factors in decision making.

On February 11, 1994, President Clinton signed Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. This piece of legislation directed every Federal agency to make Environmental Justice part of its mission by identifying and addressing all programs, policies and activities that affect human health or the environment so as to identify and avoid disproportionately high and adverse effects on minority populations and low-income populations.

In April 1997, as a reinforcement to Executive Order 12898, The United States Department of Transportation (DOT) issued an Order on Environmental Justice (DOT Order 5610.2), which summarized and expanded upon the requirements of Executive Order 12898 to include all

policies, programs and other activities that are undertaken, funded or approved by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA) or other U.S. DOT components.

In December 1997, the FHWA issued the FHWA Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (DOT Order 6640.23), which mandated the FHWA and all its subsidiaries to implement the principles of Executive Order 12898 and U.S. DOT Order 5610.2 into all of its programs, policies and activities. On October 7, 1999, the FHWA and the FTA issued a memorandum Implementing Title VI Requirements in Metropolitan and Statewide Planning. This memorandum provides clarification for field offices on how to ensure that environmental justice is considered during current and future planning certification reviews. The intent of this memorandum was for planning officials to understand that environmental justice is equally important during the planning stages as it is during the projects development stages.

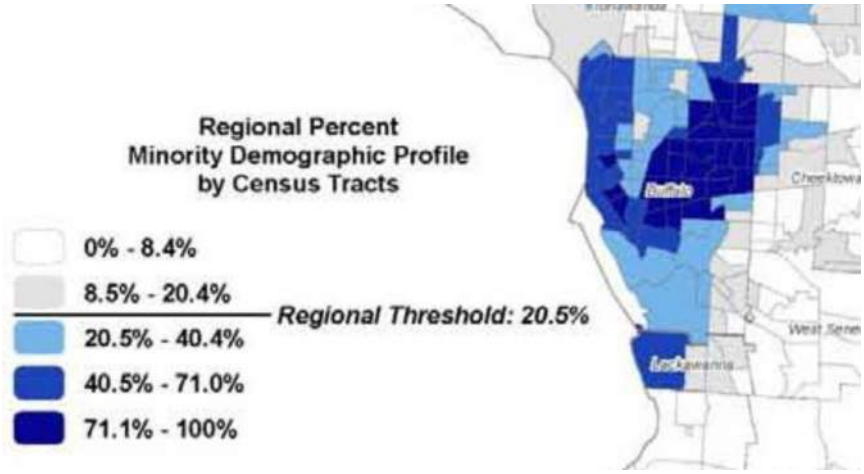
There are three fundamental environmental justice principles that the NYSDOT must consider:

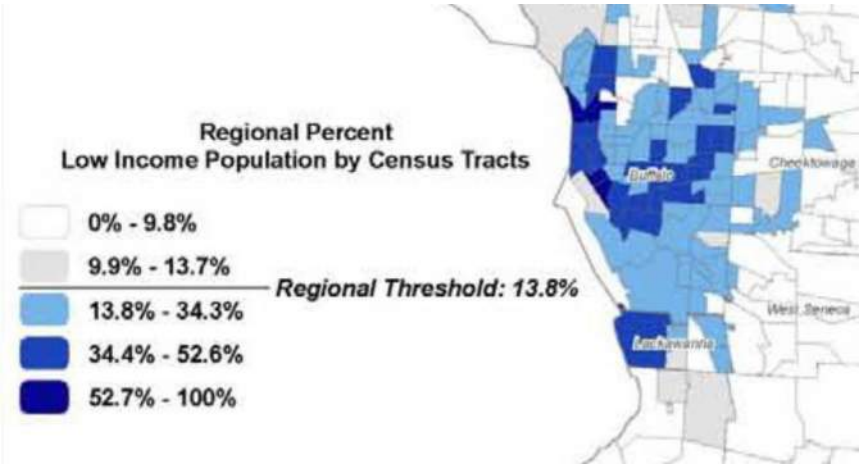
• To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.

• To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.

• To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Buffalo, NY's east side is a Community of Environmental Justice concern. The minority demographic profile and low-income population are of the highest percentage in the region. This was not always the case and can be traced back to the construction of the Kensington Expressway.





The NYSDOT Kensington Project fails to comply with Title VI or its intent and fails to meet any of the Environmental Justice principles.

A full Environmental Impact Statement (EIS) must be conducted using the social, environmental and economic conditions that existed for the Kensington corridor prior to the construction of the Kensington Expressway as a baseline.

While the NYSDOT has managed to obtain support from the Restoring Our Community Coalition (ROCC), ROCC does represent the East Buffalo community at large. The East Buffalo Community as a whole does not support the NYSDOT's proposal to construct a cap over the Kensington Expressway between Sydney and Dodge Street Concept #6). A majority of the East Buffalo community want the Kensington Expressway removed and Humboldt Parkway restored (Concept #10), if given a choice. But the NYSDOT has given the community no choices. Only its proposed project proposal to construct a cap over the Kensington Expressway between Sydney and Dodge Street is on the table.

A full Environmental Impact Statement that compares the social, environmental and economic impacts of Concept #6 as compared to Concept #10 should be undertaken.

The NYSDOT project (Concept #6) proposal to construct a cap over the Kensington Expressway between Sydney and Dodge Street fails in so many ways:

1. The proposed NYSDOT capping concept #6 fails to reduce the vehicular emissions along the Kensington corridor subjecting these neighborhoods to continued elevated levels of pollution. The air pollution created from automobiles along this expressway will continue without an apt solution;

   Vehicular toxic emissions can easily contaminate the air quality of the enclosed tunnel environment, especially during rush hours with traffic jam events or low vehicle speeds, which poses serious health hazards to vehicle passengers.

   Each direction of traffic in the tunnel under the NYSDOT project would be ventilated by the piston effect of moving traffic under normal operating conditions, with mechanical jet fans

provided for ventilation in the case of a breakdown in traffic flow or an emergency event may be inadequate.

The vehicular piston effect is complex, three-dimensional and unsteady. Currently, studies regarding on airflow patterns and in-tunnel pollutant dispersion associated with the piston effect at different traffic speeds are still very limited. Chen et al. experimentally studied the piston effect and jet fan effect based on a rotating-belt model vehicle tunnel. Their results demonstrate that the vehicle speed plays a more important role on the flow velocities distribution inside a (short 393') tunnel than the vehicle spacing and vehicle size. Although a larger fan velocity can generate a higher flow velocity inside the tunnel, pollutant accumulation may occur in the downstream of the tunnel. Air pollution near road tunnel portals also generates potential health hazards to residents living nearby. Matsumoto et al. developed an air quality simulation model combining the effect of the jet stream from the tunnel portal and the ambient wind field, and good conformity was obtained between the numerical results and the air tracer experimental data. Eftekharian et al. conducted a numerical investigation on the performance of jet fans in an urban tunnel under severe congested traffic condition. Their results show that the average CO concentration under traffic jam condition was higher than the permissible level in the vicinity of human breathing zone.

The length of the proposed tunnel (4,150') exacerbates the complex, three-dimensional and unsteady state of the piston effect and relatively weak mechanical jet fan ventilation within the tunnel.

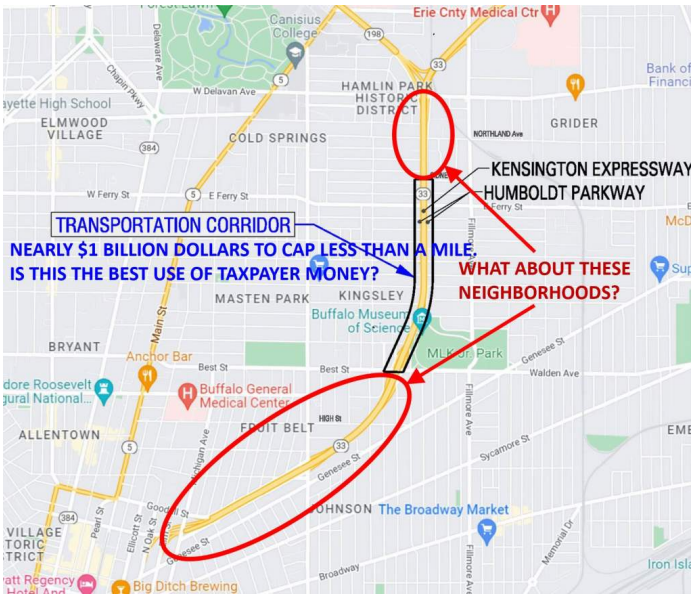
The NYSDOT has chosen not to look at NO_2. Based on the 2016 NOX Integrated Science Assessment (ISA) concludes that ''[a] causal relationship exists between short-term NO_2 exposure and respiratory effects based on evidence for asthma exacerbation''. The ISA also concludes that there is ''likely to be a causal relationship'' between long-term NO_2 exposures and respiratory effects, based on the evidence for asthma development in children. Modeling of NO_2/NO_x concentrations should be performed. In addition, VOCs are not even mentioned. Both natural volatile organic compounds (NVOCs) and anthropogenic volatile organic compounds (AVOCs) affect air quality as precursors of ozone (O_3), secondary organic aerosol (SOA), and particulate matter (PM) via photochemical oxidation under illumination, and their toxic nature and the atmospheric pollutants formed there from pose a threat to public health. Most hazardous VOCs come from anthropogenic emissions and pose a threat to human health and are even carcinogenic, especially BTEXs. The five compounds emitted at the highest levels by gasoline and diesel vehicles are hexanal, acetone, toluene, p-xylene and iso-pentane.

Removal of the Kensington Expressway, the restoration and extension of Humboldt Parkway (concept #10) would reduce pollution and air contaminants along the entire Kensington Expressway corridor by eliminating a substantial amount of vehicular traffic, redistributing it back to the major north-south commercial avenues and the radials. Traffic would be redistributed over a significantly greater number of miles of roadway and over a much greater areal extent reducing contaminant concentrations. An extension of the Buffalo Metro-Rail system to the airport would reduce the number of vehicles overall, reducing contaminant levels and totals. Metro-Rail is electrified using renewable hydroelectric power, consistent with New York State's sustainability goals.

A more detailed analysis of air pollution and health effects should be undertaken for the current proposed NYSDOT (Concept #6) project and for Concept #10 (removal of the Kensington Expressway and the restoration and extension of Humboldt Parkway. Use of models as developed specifically for the dispersion of tunnel exhausts should be used instead of USEPA's AERMOD dispersion model for all contaminants.

The social, economic, and environmental considerations should be also be studied for removal of the Kensington Expressway, the restoration and extension of Humboldt Parkway (Concept #10) as well as the NYSDOT Concept #6 proposed cap and tunnel. The removal of the Kensington Expressway, the restoration and extension of Humboldt Parkway will correct much of the adverse social, economic, and environmental impacts created by the original construction of the Kensington endured by the East Buffalo community for 60 years. The NYSDOT's proposed cap and tunnel doesn't even come close to correcting these adverse impacts as would the removal of the Kensington Expressway, the restoration and extension of Humboldt Parkway. That is clearly evident, but should be detailed in a comprehensive Environmental Impact Statement (EIS).

2. The proposed NYSDOT capping concept #6 fails to reunite the majority of neighborhoods along the Kensington that were torn apart and separated by the expressway. The plan ignores nearly two thirds of the neighborhoods along the Kensington Expressway;



The Bipartisan Infrastructure Law established the Reconnecting Communities Program. This program provides technical assistance and funding for communities' planning and construction projects that aim to connect neighborhoods back together by removing, retrofitting, or mitigating transportation barriers such as highways and railroad tracks.

Buffalo received a $55.6 million grant to build the tunnel and cap Concept #6 over the Kensington Expressway. I am curious if Secretary Buttigieg is even aware that the project neglects two-thirds of the neighborhoods along the Kensington Corridor or that removal of the Kensington Expressway (Concept #10) would reconnect all of the minority neighborhoods along

the entire Kensington at a fraction of the cost. The $55.6 million could conceivably pay for nearly half of the entire cost, instead of New York taxpayers paying nearly 17 times that amount to reconnect only one-third of the neighborhoods. The NYSDOT Project (Concept #6) cost-benefit simply cannot be justified.

These grants are supposed to fund construction and planning for transformative community-led solutions. These projects are to help revitalize communities, provide access to jobs and opportunity, and reduce pollution. The key phrase is "transformative community-led solutions". The proposed NYSDOT Project (Concept #6) was force-fed to the community. It was not led by the community nor is it transformative. It does not revitalize communities and neighborhoods along the Kensington corridor, provide access to jobs and opportunity, or reduce pollution. At best, it provides some connectivity for Hamlin Park but excludes nearly two-thirds of the East Buffalo community.

3. The proposed NYSDOT capping concept #6 fails to restore neighborhoods and property values along the entire Kensington Expressway that were decimated by the construction of the expressway. Property values declined to a fraction of their original values and the values of comparable properties along the other Buffalo Olmsted Parkways;

   A comparison of home values along Chapin and Bidwell Parkways with Humboldt Parkway confirms the dramatic decline of home values along Humboldt Parkway as a result of the construction of the Kensington Expressway. Home values will remain low as long as the Kensington Expressway exists as a barrier with the accompanying noise and air pollution.

   The removal of the Kensington and the restoration of Humboldt Parkway together with the extension of Humboldt Parkway will allow residents along the entire Kensington corridor to recover their property values. Policies can be put in place to mitigate gentrification and displacement.

4. The proposed NYSDOT capping concept #6 fails to address inequities and promotes segregation. The maintenance of the six lane Kensington Expressway preferentially benefits the largely more affluent white suburban commuters at the expense of the largely brown and black city residents along the Kensington Expressway corridor. This project perpetuates and furthers inequities;

   In 1950, 94 percent of the nonwhite population resided in eight census tracts, accounting for two thirds of the total nonwhite population. Black Buffalonians solidified their communities throughout the East Side, acknowledged by the fact that nonwhite home ownership on the East Side increased by 89 percent between 1950 and 1955. These census tracts were all located in the city's East Side Geographically, these mainly black Buffalonian occupied neighborhoods on Buffalo's East Side, became, questionably, the very site of the new Kensington Expressway.

   Today, the Kensington Expressway continues to serve, primarily, to whisk the more affluent white suburbanites downtown and back to the suburbs without having to interact with the primarily brown and black city residents and businesses of East Buffalo.

   The Kensington Expressway continues to depress property values as explained above, perpetuates unhealthy environmental conditions and racial segregation.

Removing the Kensington Expressway, restoring and extending Humboldt Parkway would go a long way toward addressing inequities by improving housing values, economic investment and breaking down racial barriers.

5. The proposed NYSDOT capping concept #6 fails to restore vehicular traffic that was syphoned away from the major commercial avenues and the radials of East Buffalo and funneled onto the Kensington Expressway. Nearly $120MM is being spent to return cars to Main Street to restore the economic vitality of Main Street, but this plan for the Kensington Expressway perpetuates syphoning traffic away from East Buffalo's commercial corridors to their detriment;

   The NYSDOT has insisted that The Kensington must remain in order to accommodate the 75,000 vehicles that use the expressway currently today. In 1960, prior to the construction of the Kensington Expressway, Buffalo's population was 532,759. Today it is 274,618, a decline of 48.5%. Erie County's population was 1,064,688. Today it is 964,796, a decline of 11%. The major north-south commercial avenues, the radials and street grid adequately served the much larger population prior to the Kensington. What the Kensington did do was to funnel traffic away from the major commercial north-south avenues and radials with devastating adverse impact to the economic vitality of these commercial corridors that were the life-blood of the Buffalo east side.

   From William Fox, Segregation Along Highway Lines: How the Kensington Expressway Reshaped Buffalo, New York, SUNY at Buffalo, History Department & Honor's College Thesis, May 2017:

   "In the eyes of highway engineers, the removal of traffic congestion would result in higher property values along previously crowded streets like Genesee, Main, Kensington and Broadway. To be fair, in many cities, traffic removal served as a catalyst for community growth and the revaluation of city properties, because city inhabitants were able to reclaim their local streets from busy automobile routes. However, such cases were only successful when there was sufficient foot and local travel to sustain local businesses and community organizations. Such was not in case in Buffalo, as more and more homeowners left the city for the suburbs, the Kensington Expressway became the nail in the coffin for enterprising communities on the East Side. With a high-speed expressway in place, eastbound routes along Genesee Street and Broadway Avenue have essentially become obsolete.

   Although city planners sought to accommodate the increasing number of drivers in Buffalo, the massive Kensington Expressway project might not have been so necessary in the end. By 1940, the population of the city had plateaued at 575,000, and has since steadily declined to a low of 260,000 in 2012. Without the anticipated growth in the Buffalo's population, the Kensington has only served to further alienate the East Side from the rest of the city."

   As Geoff Kelly woefully explains in a 2010 article for *ArtVoice*,

> "The Kensington today carries about 70,000 vehicles per day. In other words, traffic volume between downtown and the northern and eastern suburbs is about the same as it was in 1958. The region's population hasn't grown to fill the capacity created by the state's highway engineers. It hasn't grown at all. This city incurred all the negative impacts of an urban expressway, and it turns out we didn't even need it."

The Kensington Expressway funneled traffic away from the major commercial north-south avenues and radials with devastating adverse impact to the economic vitality of these commercial corridors that were the life-blood of the east side.

The removal of the Kensington Expressway and the restoration and extension of Humboldt Parkway (Concept #10,) as part of the concept, should undertake a holistic traffic study as part of a comprehensive EIS to look at traffic redistribution patterns, Metro-Rail extension, Smartly Enhanced Multi-Modal Arterials (SEMA) upgrades for the major commercial Corridors of Michigan, Jefferson, Fillmore and Bailey and the radials and other enhancements as part of the Concept #10 alternative to the NYSDOT maintaining the Kensington Expressway (Concept #6).

6. The proposed NYSDOT capping concept #6 fails to restore Humboldt Parkway. The Olmsted Parks and Parkways is the first park and parkway system designed and built in the United States and designated a National Historic Landmark. The proposed plan encompasses only less than a mile of the parkway and is an "interpretive" recreation of Humboldt Parkway with a minimum soil depth of three feet (3'), making the restoration of the tree canopy that is synonymous with the Buffalo Olmsted Parkways impossible;

   The Buffalo Olmsted Parks Conservancy's advocacy philosophy is

   - Ensure the historic integrity of the Frederick Law Olmsted-designed Park system as it pertains to restoration and/or enhancement efforts within the landscape as originally designed and intended.
   - Support the communities impacted by restorations and enhancements within the Olmsted landscapes, ensuring comprehensive and transparent community engagement and consensus.

   I couldn't agree with this advocacy philosophy more. The Kensington Expressway must ensure the historic integrity of the Frederick Law Olmsted-designed Park system as it pertains to restoration and/or enhancement efforts within the landscape as originally designed and intended. The current NYSDOT proposed project does not ensure the historical integrity. If fact, it ensures that Humboldt Park will never connect Delaware Park and MLK Park. The tunnel cannot be extended to Delaware Park due to the presence of the Scajaquada Creek that was buried underground. Further, the proposed three feet of soil proposed over the cap is insufficient to grow healthy 60 ft. to 80 ft. canopy trees as Olmsted designed within the landscape.

The community engagement element required by Title VI was insufficient. Public meetings served more to present the NYSDOT's project that was predetermined rather than solicit public ideas, preferences or participation. In other words, it did not support transformative community-led solutions to complex multifaceted social, environmental and economic issues. The NYSDOT treated this project as strictly a transportation issue setting the primary objective "Maintain the vehicular capacity of the existing transportation corridor".

In alignment with the Conservancy's mission and advocacy philosophy, the following is the organization's position on the Kensington Expressway (Route 33) project:

- To align with the Conservancy's mission, the preferred solution for the Kensington Expressway (Route 33) is to fully restore Olmsted's original design for Humboldt Parkway.
- If the full restoration of Olmsted's Humboldt Parkway is not a viable solution, the Conservancy supports the design option chosen by the community through a comprehensive and transparent engagement process.

The second bullet is an unnecessary "fall back" position since there is no reason Olmsted's original design for Humboldt Parkway cannot be fully restored. Humboldt Parkway, as an essential element of a designated a National Historic Landmark, must be fully restored.

Removal of the Kensington Expressway, the restoration and extension of Humboldt Parkway (concept #10) would allow for the complete restoration of an essential and primary component of the Olmsted Parks and Parkways a National Historic Landmark. Such a plan would dovetail perfectly with the Region Central Preferred Scenario for the Scajaquada Corridor. The Kensington Expressway Project and the Region Central Project should be undertaken as one project or at least as coordinated projects led by the Greater Buffalo Niagara Regional Transportation Council (GBNRTC). Taken together, the Region Central Preferred Scenario for the Scajaquada Corridor and a restored and extended Humboldt Parkway would create a magnificent Olmstedian Parkway from Blackrock to downtown.

7. The proposed NYSDOT capping concept #6 fails to promote sustainable public transportation concepts. The Kensington Expressway Plan perpetuates reliance on the automobile. Spending an estimated $921.8MM to cap 4,100 feet of this expressway perpetuates reliance on the automobile where monies could be better spent on sustainable public transportation such as extension of Metro-Rail and is counterproductive to New York State's sustainability goals. Up to nearly 30% of the residents of East Buffalo do not own a car and rely on public transportation;

   The transportation sector was responsible for approximately 28% of the New York's greenhouse gas emissions in 2019, which includes road transportation (59% of the 28%).

   The Climate Leadership and Community Protection Act requires New York to reduce economy-wide greenhouse gas emissions 40 percent by 2030 and no less than 85 percent by 2050 from 1990 levels. The perpetuation and reliance on the automobile that the NYSDOT (Concept #6) proposed project promotes is in direct contradiction of the New York State Climate Leadership and Community Protection Act.

The Climate Act requirements should be approached strategically and with an eye toward recognizing the opportunity and delicate balance of facilitating transportation's role in economic growth with the need to address adverse community, environmental, and human health impacts. To fully implement the requirements of the Climate Act while maintaining economic competitiveness, the State needs the full support of complementary national, regional, and local strategies. The Greater Buffalo and Niagara Regional Transportation Council (GBNRTC) is in the best position to facilitate full support of complementary national, regional, and local strategies.

The New York State Climate Action Council Scoping Plan outlines Mobility-Oriented Development as a strategy.

To reach GHG emissions reduction requirements, the State should place greater emphasis on programs and projects that that enable greater use of public transportation and other low-carbon mobility alternatives and investments that are informed by criteria that maximize sustainable land use/development patterns and climate outcomes. Because smart growth and new development happens over decades, starting as early as possible is important. Strong collaboration between the State and local governments is critical for these strategies to be effective, as most land use decisions fall under the purview of local governments.

An example given is the Niagara Frontier Transportation Authority Metro Amherst Extension: The Niagara Frontier Transportation Authority and Town of Amherst planners are developing proposed plans and zoning to promote both transit-oriented development and mobility-oriented development along the proposed extension of Buffalo's Metro light rail system into the town.

This strategy could be used for both transit-oriented development and mobility-oriented development along a proposed extension of Buffalo's Metro light rail system through East Buffalo to the Airport. This together with other strategies of the New York State Climate Action Council Scoping Plan such as Community-Based Service Enhancements, Customer Convenience and Service Connectivity, Fleet Modernization and Electrification, Promote Smart Growth and Mobility-Oriented Development, Mobility-Oriented Development, Smart Growth Public Education and Awareness, Expanding the Availability of Low-Carbon Active Transportation Alternatives could all be implemented as part of the project as an alternative to the Kensington status quo of "Maintain the vehicular capacity of the existing transportation corridor". These strategies are particularly important in a community where up to 30% of the population do not own automobiles.

Best regards,

Gregory A. Stubbs
Global Director-Retired, Environmental Protection, Health Management, Safety & Sustainability
Dresser-Rand Company | Siemens Corporation
Mobile: (346) 208-2465
Email: greg.stubbs01@gmail.com
Attachment

Kensington Expressway Project

Humboldt Parkway Restoration and East Buffalo Economic Revitalization

1263

Kensington Expressway Project

NYSDOT's planned capping concept #6:

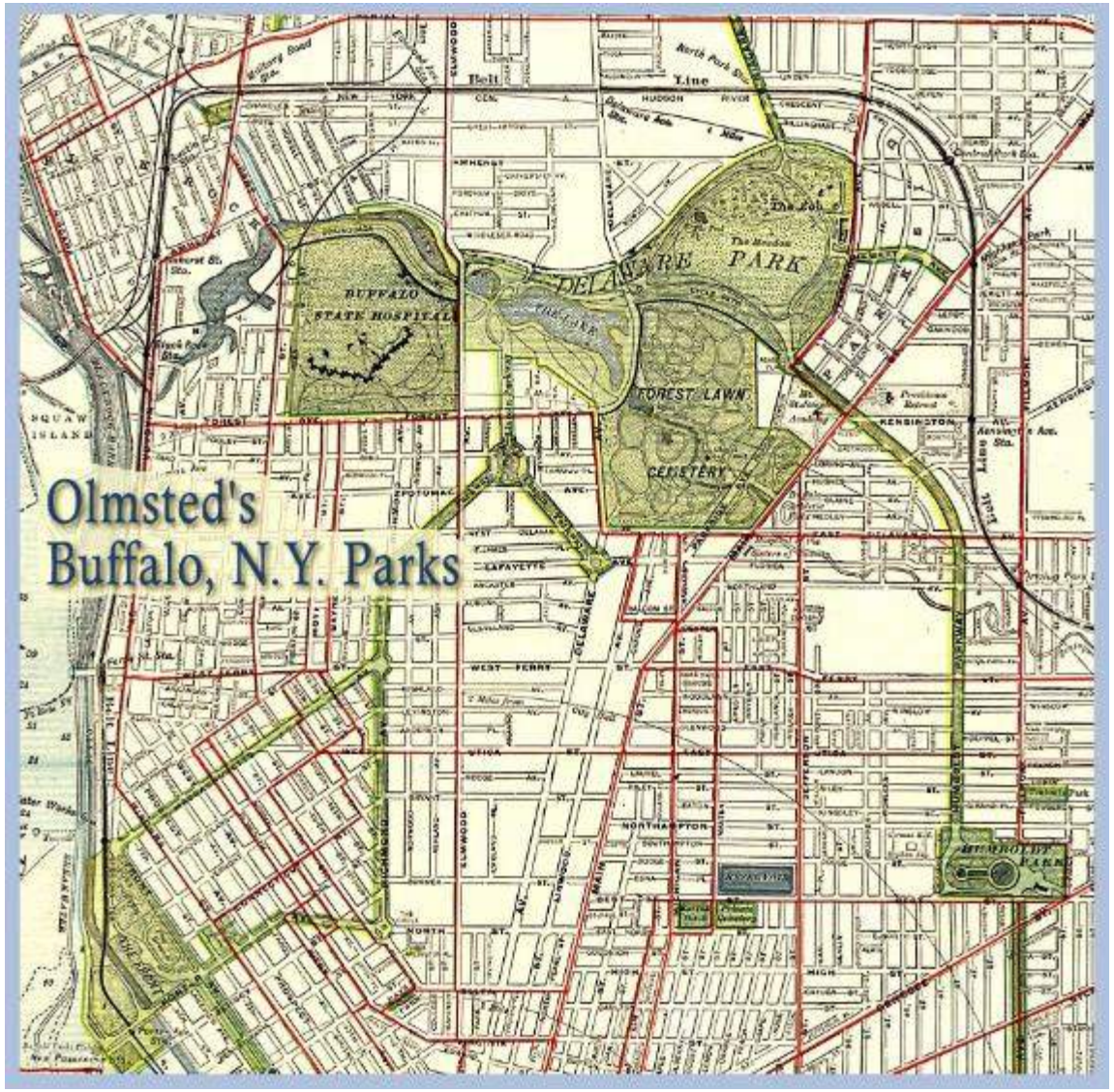
- Fails to reunite the majority of neighborhoods along the Kensington that were torn apart and separated by the expressway. The plan ignores nearly two thirds of the neighborhoods along the Kensington Expressway;
- Fails to reduce the vehicular emissions along the Kensington corridor subjecting these neighborhoods to continued elevated levels of pollution. The air pollution created from automobiles along this expressway will continue without an apt solution;
- Fails to restore Humboldt Parkway. The Olmsted Parks and Parkways is the first park and parkway system designed and built in the United States and designated a National Historic Landmark. The proposed plan encompasses only less than a mile of the parkway and is an "interpretive" recreation of Humboldt Parkway with a minimum soil depth of three feet (3'), making the restoration of the tree canopy that is synonymous with the Buffalo Olmsted Parkways impossible;
- Fails to restore vehicular traffic that was syphoned away from the major commercial avenues and the radials of East Buffalo and funneled onto the Kensington Expressway. Nearly $120MM is being spent to return cars to Main Street to restore the economic vitality of Main Street, but this plan for the Kensington Expressway perpetuates syphoning traffic away from East Buffalo's commercial corridors to their detriment;
- Fails to restore neighborhoods and property values along the entire Kensington Expressway that were decimated by the construction of the expressway. Property values declined to a fraction of their original values and the values of comparable properties along the other Buffalo Olmsted Parkways;
- Fails to address inequities. The maintenance of the six lane Kensington Expressway preferentially benefits the largely more affluent white suburban commuters at the expense of the largely brown and black city residents along the Kensington Expressway corridor. This project perpetuates and furthers inequities;
- Fails to promote sustainable public transportation concepts. The Kensington Expressway Plan perpetuates reliance on the automobile. Spending an estimated $805MM to $855MM on this expressway perpetuates reliance on the automobile where monies could be better spent on sustainable public transportation such as extension of Metro Rail and is counterproductive to New York State's sustainability goals. Up to nearly 30% of the residents of East Buffalo do not own a car and rely on public transportation.

Restore Humboldt Parkway

The proposal to cover the expressway from Dodge Street to Sydney Street only addresses less than 1 mile (4,150’) of the nearly 3 miles of Humboldt Parkway that was destroyed when the expressway was constructed.

This is entirely inadequate. The entire original Humboldt Parkway should be restored from Delaware Park to MLK Park to it original Olmsted design.

In addition, the proposal neglects nearly 2/3 of the neighborhoods along Humboldt Parkway and the Kensington Expressway. There is an opportunity to remove the entire Kensington between Humboldt Parkway and Downtown and extend the Parkway utilizing Olmstedian design.



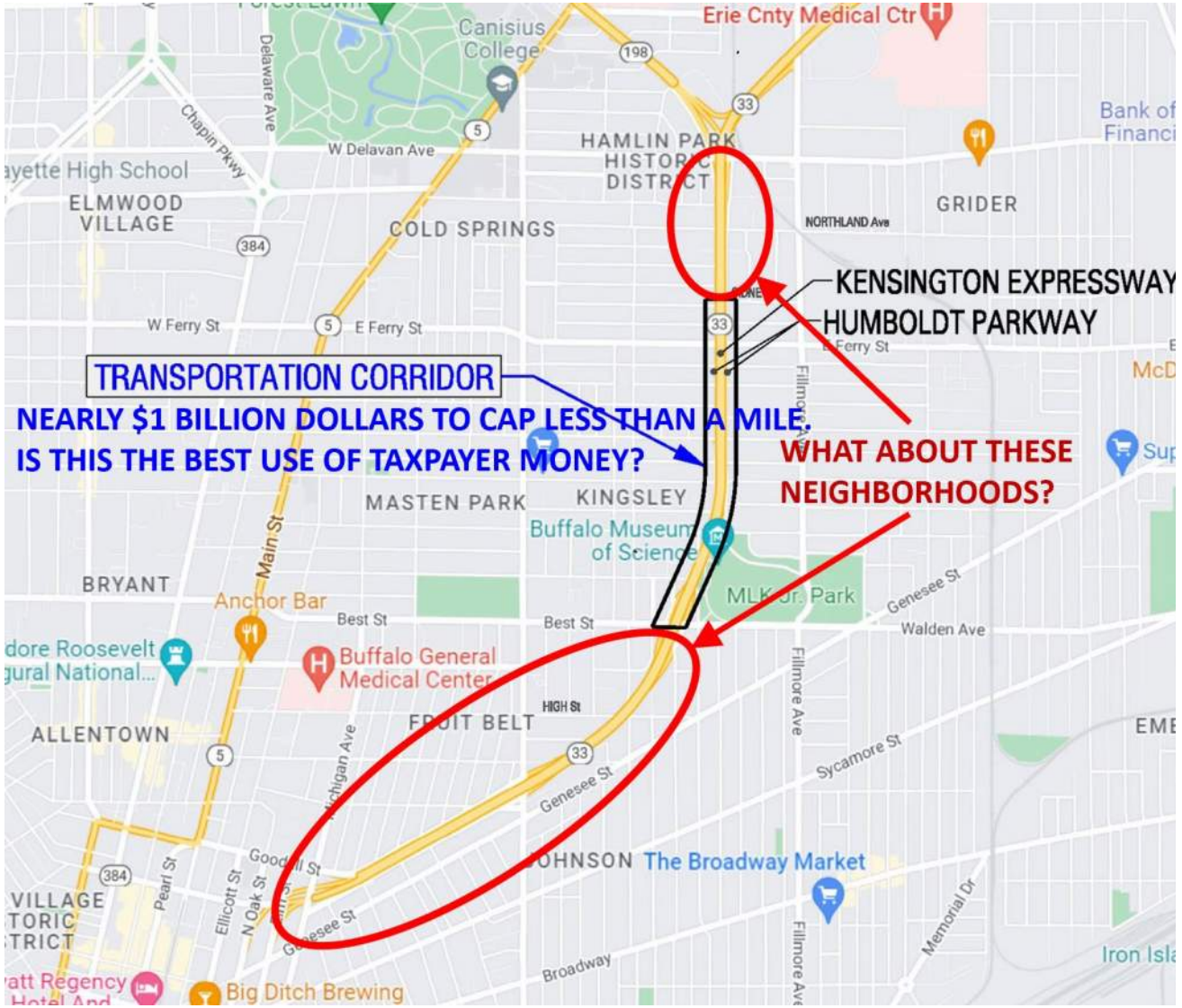
1265

GBNRTC should lead a Scajaquada/Kensington Combined Project

The Scajaquada Expressway and Kensington Expressway projects should be considered, not as two separate projects, but as one singular project.

The decisions about the Scajaquada and Kensington Expressways should be made locally, not by a bureaucratic agency in Albany.

The Greater Buffalo-Niagara Regional Transportation Council has proven itself to be the best organization to shape the Scajaquada-Kensington Project representing the best interests of the all stakeholders in the community and **should take the lead on the combined project.**

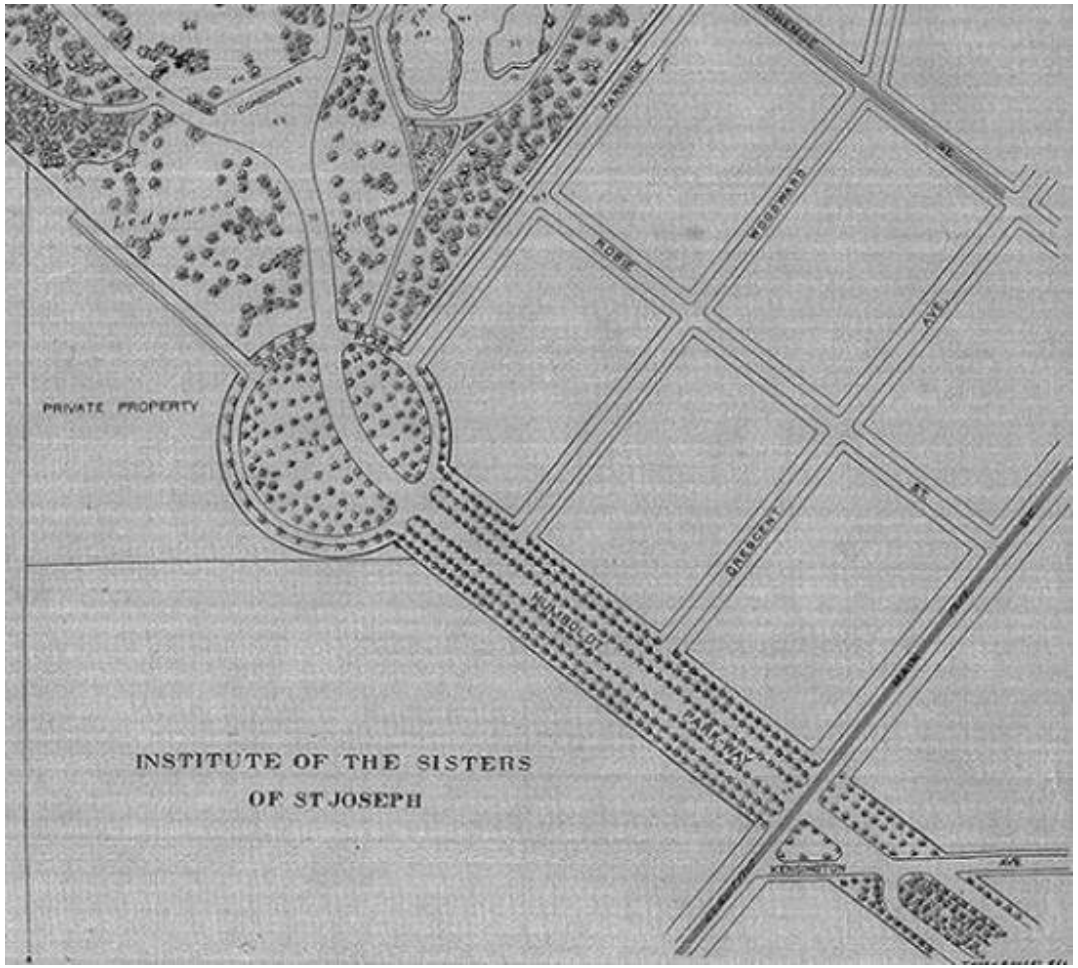


1266

Scajaquada Corridor Project Humboldt Segment

The Region Central Scajaquada Corridor Proposed Plan will restore Humboldt Parkway from Delaware Park to East Delavan. Agassiz Circle and Humboldt Parkway will be restored to their original design to the extent possible. But the restoration ends at E. Delavan. The Kensington plan picks up at Sydney Street and does not restore Humboldt Parkway. The Scajaquada Corridor and Kensington Corridor should be integrated in one plan. The entirety of Humboldt Parkway should be restored.





Restore Humboldt Parkway

Prior to the Kensington Expressway, local street grid accommodated traffic of a city twice the current population.

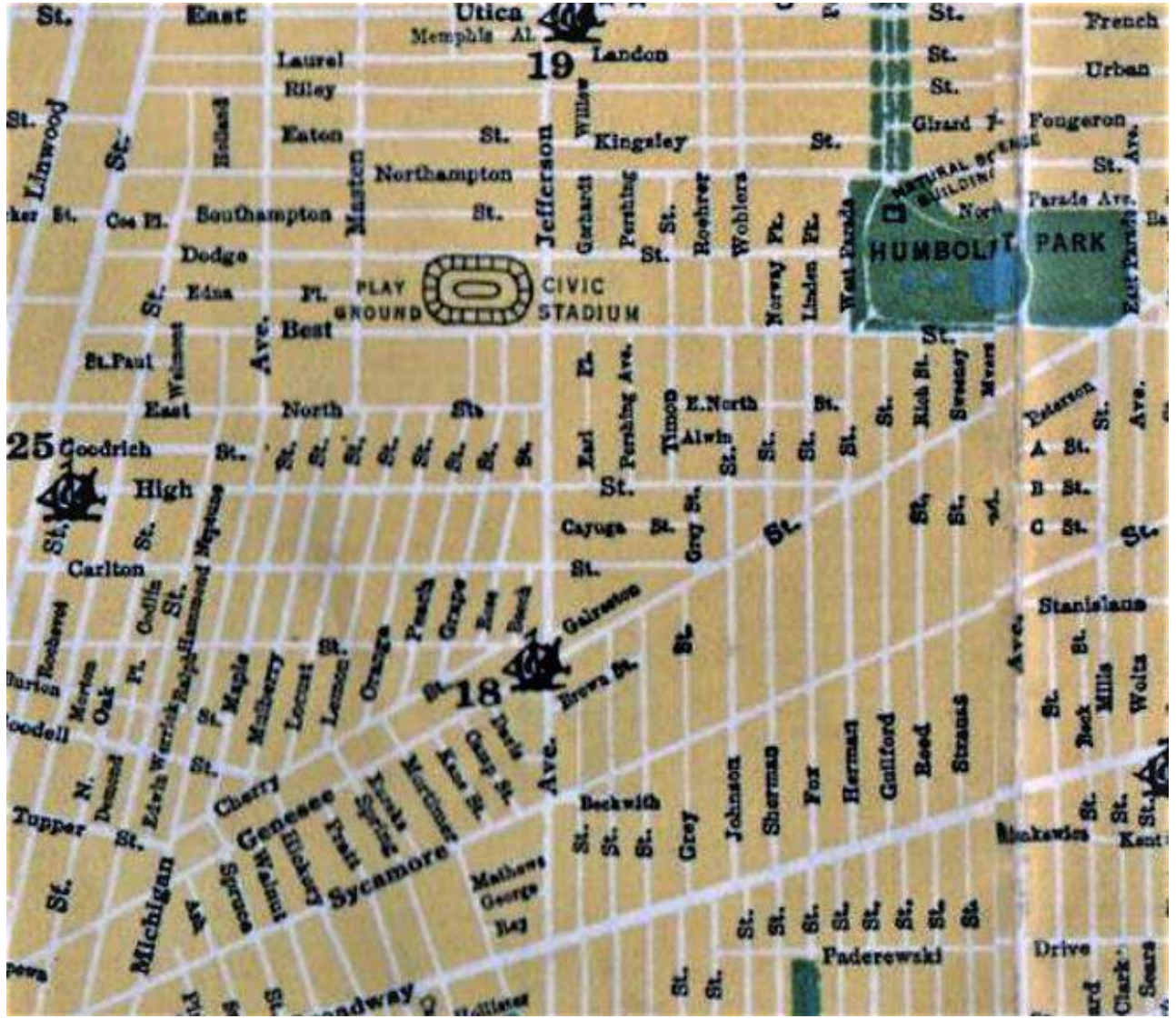
The NYSDOT has insisted that The Kensington must remain in order to accommodate the 75,000 vehicles that use the expressway currently today.

In 1960, prior to the construction of the Kensington Expressway, Buffalo's population was 532,759. Today it is 274,618, a decline of 48.5%. Erie County's population was 1,064,688. Today it is 964,796, a decline of 11%.

The major north-south commercial avenues, the radials and street grid adequately served the much larger population prior to the Kensington.

What the Kensington did was to funnel traffic away from the major commercial north-south avenues and radials with devastating adverse impact to the economic vitality of these commercial corridors that were the life-blood of the east side.

Original street grid prior to the construction of the Kensington (Rt. 33) Expressway



Restore Humboldt Parkway

Prior to the Kensington Expressway, local street grid accommodated traffic of a city twice the current population.

Maintain Rt. 33 Expressway to Humboldt Pkwy. (yellow).

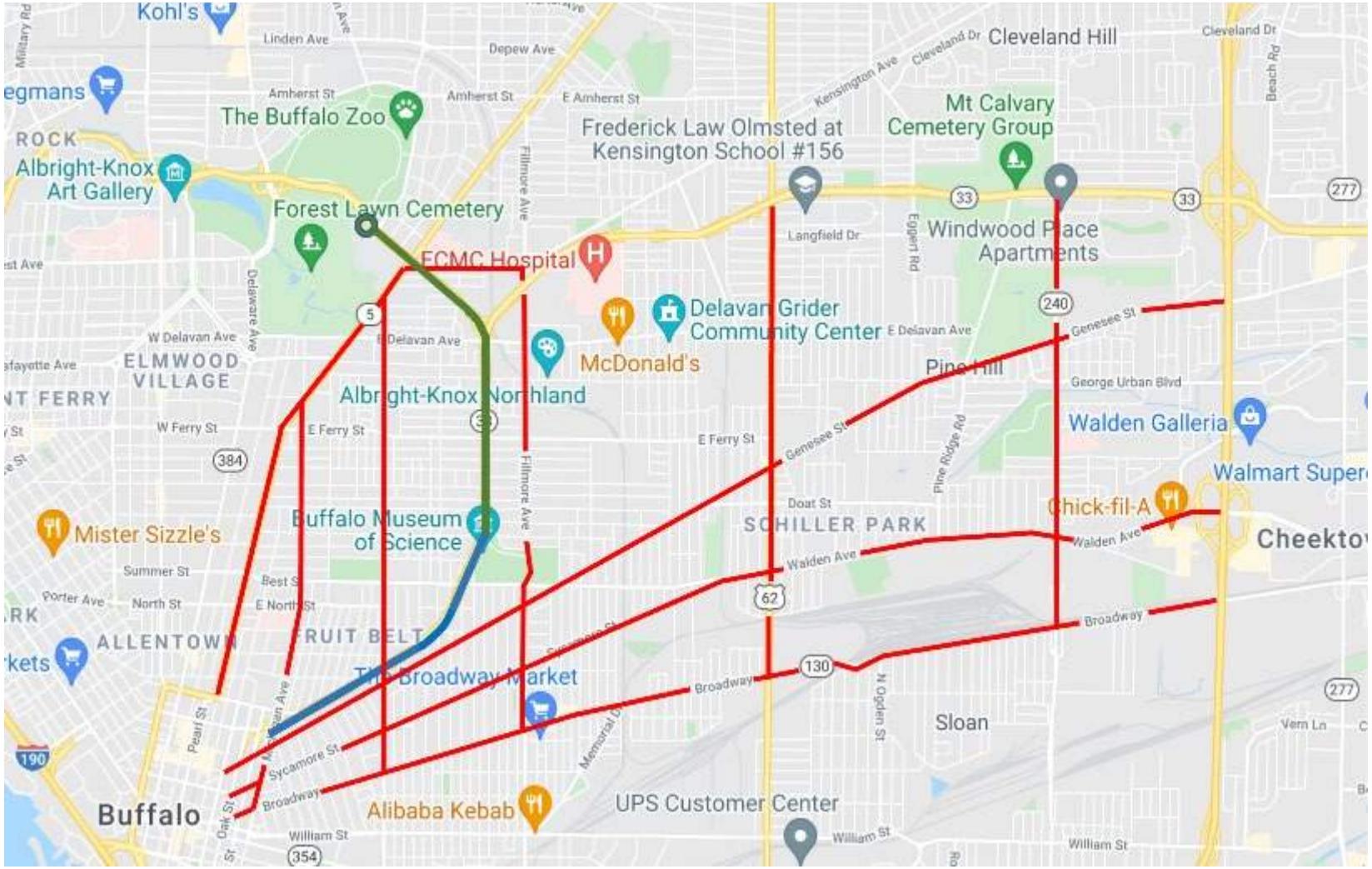
The Region Central Scajaquada Plan will restore Agassiz Circle and Humboldt Pkwy. to E. Delavan Ave. The Kensington Project should continue the restoration of Humboldt Pkwy to MLK Park.

Convert the existing Rt. 33 to a parkway southwest of MLK Park, extending Humboldt Pkwy. to downtown using the same Olmsted Humboldt Pkwy. design (blue).

Utilize main north-south avenues, Michigan, Jefferson, Fillmore and Bailey to connect to radials to downtown. Utilize Kenmore Ave. to connect to Main and from Main to Jefferson and Michigan Avenues (red).

Use traffic calming measures to ensure Humboldt Pkwy does not become a de facto expressway.

Install Miovision Platform solutions to optimize traffic flow along the north-south avenues and radials.



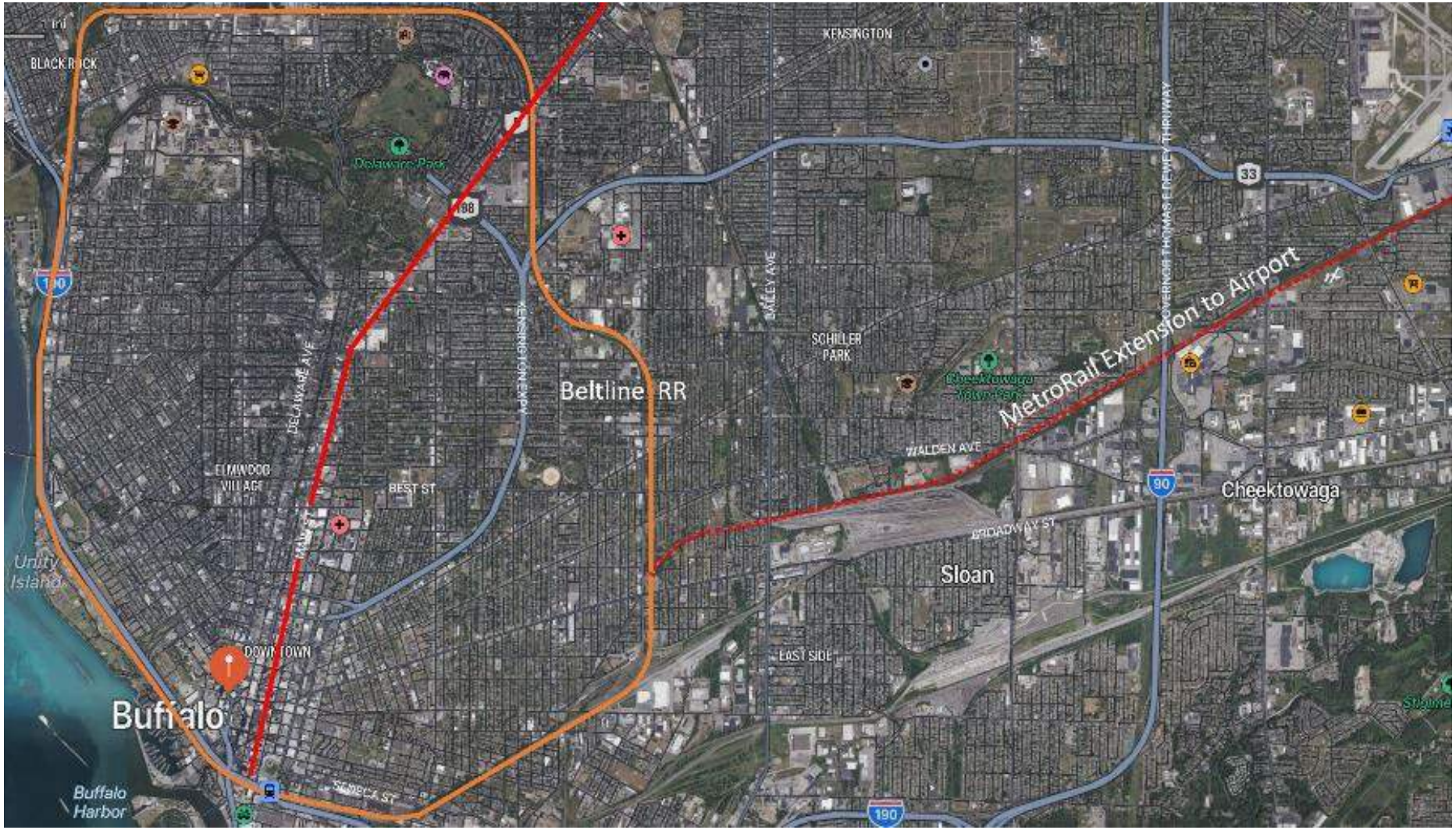
East Buffalo Smartly Enhanced Multi-modal Arterials (SEMAs)

- Smartly Enhanced Multi-modal Arterials (SEMAs) should be created along the radials and the major north-south commercial corridors of Michigan, Jefferson, Fillmore and Bailey that offer a range of convenient transportation options.
- Plans for SEMAs should include as an option modern Trolleys reminiscent of times past when Buffalo had an extensive street trolley system.



Extend Metro-Rail to the Airport

- Prioritize Metro-Rail Extension to Airport.
- Utilize the Beltline, connecting the Exchange Street Rail Terminal to Larkinville at Seneca St. and east to the Central Terminal.
- Extend Metro-Rail east along existing rails and rail right of ways to the Airport.



Restore Humboldt Parkway

The complete restoration of Humboldt Parkway to it original Olmsted design should be the goal.

Not only does it restore the original integrity of the Olmsted Park System but also the East Buffalo Neighborhoods.

It would also restore traffic flow back to the historical east side commercial corridors of Michigan, Jefferson, Fillmore and Bailey Avenues and the radials.

Diverting traffic flow from the Kensington Expressway through these commercial corridors would reinforce and support the East Side Collaborative Fund and the $65 million East Side Corridor Economic Development Fund that is in place to help revitalize the East Side with needed investment along the significant commercial arteries.

Monies saved from filling in and not capping the 4,150 feet of the Kensington could be used to **redevelop Michigan, Jefferson, Fillmore and Bailey Avenues as SEMA complete streets.**





-----Original Message-----
From: Linda Suchocki
Sent: Wednesday, November 8, 2023 11:10 PM
To
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Suchocki, Linda
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: I am completely against the proposed project. A complete environmental review has not been completed that considers the huge impact on the residential side streets by traffic, thr pollution, and the construction noise. The cost is ridiculously high. A much better use of the funds would be to repair current bridges, roads, and finish implementing the city's Slow Streets program.

* this email was generated by kensingtonexpressway.dot.ny.gov
CAUTION: This email originated from outside the LaBella organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From:	Sean Sweeney
To:	dot.sm.kensingtonexpressway
Subject:	PIN 5512.52 Comment
Date:	Friday, November 10, 2023 8:15:03 PM
Attachments:	Kensington Expressway Project Comment.pdf

Attached is my comment in regards to the subject project.

Regards,
Sean Sweeney

Introduction:

This project first piqued my interest when I learned that the comment period was extended as a result of the community voicing their opinions on the proposed project. After reviewing the Project Scoping Report (PSR), Draft Design Report and Environmental Assessment (DDR/EA), applicable appendices and public comments as well as personally attending community events discussing the subject project, it can be noted that there are significant concerns worth further consideration.

Project Purpose:

Per Section 3.2 – Project Purpose and Objectives:

The following objectives have been established to further refine the Project purpose:

• Reconnect the surrounding community by creating continuous greenspace to enhance the visual and aesthetic environment of the transportation corridor

Access onto and off of the Kensington Expressway is tabulated below:

Kensington Expressway Access Within Project Limits			
Existing ON Ramps		**Existing OFF Ramps**	
Northbound	**Southbound**	**Northbound**	**Southbound**
Best Street	Best Street	Best Street	Butler Ave
	East Utica Street	Landon Street	Best Street
Build Alternative ON Ramps		**Build Alternative OFF Ramps**	
Northbound	**Southbound**	**Northbound**	**Southbound**
Best Street	Best Street	Best Street	Butler Ave
			Best Street

Under the proposed plan:

- Access onto the 33 in the northbound direction remains unchanged.
- Access onto the 33 in the southbound direction is **further limited** after removal of the East Utica Street on ramp.
- Access off of the 33 in the northbound direction is **further limited** after removal of the Landon Street off ramp.
- Access off of the 33 in the southbound direction remains unchanged.

Under the hypothetical scenario of a community member traveling from the Kensington Expressway (Say under the High St bridge) northbound to their residence on the 600 block of E Utica Street, a 0.9 mile trip would be completed using the Off ramp that intersects at Landon Street.

Under the proposed design, this same trip would be approximately the same in length, but it could be reasonably inferred that the travel time would be longer and would require the vehicular user to

navigate the intersections of Best @ W. Parade St. This intersection introduces a Left Turn that statistically relates to an increase in accident rates.

In summary, this community member has less access to the 33, an increased travel time and the potential of navigating an intersection with an increased risk of crashes. In this context, the project objective of improving vehicular mobility access in the surrounding community does not appear to be met.

Question:

What is context or merit for measuring community connection? It appears the proposed plan limits access onto and off of the Kensington Expressway is further limited by the proposed design.

Technical Review:

Sidney Street/Butler Avenue Typical Section:

The Sidney Street Typical Section is incorrectly labeled as Sidney **Avenue**

Additionally, this typical Section between Station SB 10+00 to SB 11+48 shows an existing pavement section consisting of Subbase, Base, Binder and Top courses despite the fact that it doesn't exist. These features being shown as existing would imply that they are currently floating in the air.

This comment applies to other typical sections for proposed connections over RTE 33 (Riley & Winslow)

An additional concern may be noted for operation safety of the NB travel direction on Sidney Avenue introduced skew at the intersection of Southbound Humboldt Parkway.

Review of Smart Growth Screening Tool:

Outlined Purpose:

The purpose of the Project is to reconnect the community surrounding the Kensington Expressway's defined transportation corridor and improve the compatibility of the corridor with the adjacent land uses, while addressing the geometric, infrastructure, and multi-modal needs within the corridor in its current location.

Section E. Transportation and Access:

Question 2: Will this project enable reduced automobile dependency?
This question was answered yes with the following explanation:

This Project will enable reduced automobile dependency by improving bicycle and pedestrian infrastructure and creating new east-west connections for all forms of transit.

There is currently no analysis, trend or evidence to suggest that the project will reduce automobile dependency.

Per Table 4.3-3. In the DDR/EA:

The total population of the study area is reported to be 1,219. Just 36 are reported to use a bicycle as a means of transportation to and from work. This 36 of 1,219 reside in the fruit belt neighborhood. Under the proposed plan, not a single bicycle lane or bicycle accommodations will be constructed in that particular area.

Section F. Coordinated, Community-Based Planning:

This section mentions the regional coordinated effort or lack there of.

Despite the **Buffalo Billion II East Side Corridor Economic Development Fund** having $65 million dedicated to revitalizing the East Side of Buffalo through investments outlined in the **WNY Regional Economic Development Council (REDC)** strategic plan, the REDC entity is not listed in section 7.3 of the PSR.

The $65 million in capital investments to buffalo's East Side via the Buffalo Billion II East Side Corridor Economic Development Fund include some of the following programs:

- Buffalo Neighborhood Stabilization Fund: $10M
- MLK Park District: $6.6M
- Broadway Market: $4M
- Infrastructure to support and enhance investments: $10M
- East Side Commercial Districts: $2.6M

These investments specifically target the transportation corridors of

- Michigan Avenue
- Jefferson Avenue [AADT: 10360](From Broadway to Genesee)
- Fillmore Avenue [AADT: 10,054] (From Sycamore to Genesee)
- Bailey Avenue [AADT 16457] (From Genesee to RTE 33)

The Buffalo Billion II specifically states the fund will not be enough to catalyze all opportunities for revitalization. An obvious strategic plan would be to incorporate the REDC strategic plan with the transportation funding available as part of the Kensington Expressway project.

Furthermore, a review of NYS Traffic Data Viewer shows that there is additional capacity available on Genesee Street, Jefferson Ave, Broadway, William and Clinton. These are the very streets that would benefit from increased traffic in the form of multi-modal options. Foot traffic would specifically encourage the development and economic growth of these areas rather than bypassing them altogether.

Full Roadway Reconstruction projects have an average cost of $1-2 million / linear mile. The cumulative cost to upgrade these streets is a fraction of the $1 Billion price tag for the 3/4 mile proposed section.

Additional funding includes the Better Buffalo Fund (BBF): A $40M program offering grants and loans through two initiatives – Transit Oriented Development and Buffalo Main Streets Initiative.

Buffalo should consider implementing Transit oriented development (TOD) that has been proven to be historically successful. (e.g. Toronto)

Elements of TOD are outlined below:

- Promote dense development (housing, employment, retail) in proximity to transit stops
- Encourage the use of multi-modal transportation
- Stimulate pedestrian activity through retail and neighborhood-oriented businesses and services, quality public spaces and accessible walkways.

Lastly, the Smart Growth Screening Tool is **unsigned.**

Review of Public Comments and Responses:

Many public comments discussing the implementation of public transit (Section 7.3) of the Public Comments. All of these comments are met with a response from the NYSDOT that the consideration of public transportation is beyond the scope of the project despite the project scope identified below.

Project Scope:

Improve vehicular, pedestrian, and bicycle mobility and access in the surrounding community by implementing **Complete Street** roadway design features.

Complete Streets:

The Complete Streets Act (Chapter 398, Laws of New York)

The law applies to projects that are undertaken by NYSDOT, or to local projects that receive both federal and state funding and are subject to NYSDOT oversight.

Definition of Complete Streets (Highway Law – HAY §331):

A Complete Street is a roadway planned and designed to consider the safe, convenient access and mobility of all roadway users of all ages and abilities. This includes pedestrians, bicyclists, **public transportation riders**, and motorists; it includes children, the elderly, and persons with disabilities.

NYSDOT is claiming to incorporate complete streets design while simultaneously picking and choosing specific elements of complete streets to implement rather than considering that concurrence with complete streets means the adoption of all aspects of the definition.

This act of **selective implementation** undermines the very purpose of the complete streets and smart growth design philosophies.

Shifting attention away from this incomplete adherence, there is the repeated use of the phrase complete streets in the responses to public comment. Although I am unsure why the NYSDOT uses the term “Complete Street” in quotations as if it isn’t written law, they mention it 36 times in their response to public comments.

The claim in NYSDOT’s own words is this:

The Build Alternative would reconnect the community by providing new east-west crossing options for pedestrians, bicycles, and vehicles, creating a park area on the tunnel deck supportive of non-motorized transportation and recreation, and creating connections to existing greenspace in MLK Jr. Park (see Sections 5.2.5, 5.2.6, and 5.3.2 of this PSR).

The claim is that the construction of bicycle lanes is in line with the Complete Streets initiative and will connect the community despite that **only 36 people (0.50%) in the project area bicycle to work.**

Meanwhile, 1,219 people (17.0%) use public transportation and 57 (6.71%) walk.

It should be noted that the further restriction to the 33 due to the removal of on and off ramps will likely negatively impact the 4,878 (68%) that use a vehicle.

Potential Inconformity with Climate Leadership and Community Protection Act (CLCPA)

Requirements: Limit statewide greenhouse gas emissions to 80% below 1990 levels by 2050 (CLCPA Line 31)

Per section 4.10.5 of the DDR/EA – the emission limit reduction goal is stated as 85% although the CLCPA outlines a goal of 80% of 1990 levels.

There appears to be an inconsistency of what NYSDOT is reporting the goal is and what is documented by the CLCPA law. Please provide clarity on this inconsistency.

According to Table 8 – Transportation Emissions of the 2022 NYS Greenhouse Gas Emissions Report, the gross total of carbon dioxide equivalent ($C02_e$) for transportation emissions alone has a reported value of 70.09 million metric tons.

Calculating the goal of 85% of this value yields a result of 59,576.5 metric tons.

As shown in Table 4.10-3, the proposed build shows a 1,775,780 metric tons/year for 2047.

The proposed build shows a value 1974% over the goal outlined by the CPCLA law.

The proposed plan shows a maximum 4% reduction of $CO2_e$ for year 2047 – far below the goal outline in the CLCPA law.

Clarity on these numbers and how they relate would be of interest to the affected communities.

The DDR/EA documents that specific areas in the corridor will see an **increase in pollutants.** Particularly at the tunnel portals.

The specific receptor with the highest increase is located on the sidewalk at NB Humboldt Parkway at the exit portal. The very complete street feature that is intended to promote walkability and serve the disadvantaged community.

An increase of pollutants at the portals of the tunnels **is of great concern to the people that live there.**

To mitigate these effects the NYSDOT has the following plan: Low growing shrubs will be planted in the greenspace immediately adjacent to the portals with fencing to **restrict public access to this greenspace for safety reasons.**

This restriction was not shown on the build alternative figures presented to the public and therefore, I do not believe they are aware of this restriction.

I have personally witnessed the concerns of residents in the area as they relate to health effects and have noted that no NYSDOT personnel have attended the community meetings despite invitation.

Summary:

It appears that the project scope is far too limited and does not consider cross collaboration with other funding and planning programs. The overall success of restoring Buffalo's east side is threatened by the disjointed and peace-meal planning demonstrated by the responsible agencies.

The opportunity to utilize sustainable transit-oriented design with true smart growth development incorporating is either being ignored intentionally or overlooked, in which case, the engineering judgement of those electing to not consider any alternatives despite the public specifically asking for them should be scrutinized.

It has been noted that the original Concept 7 plan would have terminated at East Ferry Street. Under the original plan, the increase in pollutants that will now occur at the Sidney street tunnel portal would have been at the location of East Ferry. The East Ferry road is bounding the Census area identified as CT 33.02. An interesting note is that this census tract has the highest concentration of individuals with disabilities (28.8%).

The lack of foresight exhibited by the original plan seems to indicate that the health aspects of individuals in the project area is of little concern or at the very least, an afterthought.

Additionally, calls to perform an Environmental Impact Study (EIS) have been ignored.

NYSDOTs claim of implementing Smart Growth and Complete Streets design strategies while neglecting or omitting other crucial aspects of the design criteria is an act of partial implementation that undermines the core purpose of these design initiatives.

In the face of climate change, I find it unconscionable to make no effort to enhance public transportation or even perform a basic traffic analysis of the complete removal of the expressway.

To double down on car-centric infrastructure in the face of climate change, without performing an analysis guaranteeing due diligence in planning, can be considered professional malpractice on behalf of the NYSDOT, city planners and elected officials.

Since the cognitive dissonance of the powers that B will intentionally not read between the lines, it can be stated clearly that **those who are in unwavering support of this project seek to benefit the suburban population at the continued expense of the people living on Buffalo's East Side.**

The main focus and objective of the project is to maintain the vehicular capacity of the corridor. It is **insultingly obvious** that the goal is to be achieved by selective and targeted improvement with secondary considerations and constructing incremental enhancements to the east side to portray a fair and equitable design.

This mega project will cement the tragedy that has been the destruction of the Humboldt parkway forever in history. The core injustice that has been suffered by the people of Buffalo's East side will have not been undone but will be even further limited by any future improvement.

Prior to construction of the Kensington Expressway Buffalo thrived with a population that exceeded 500,000 people. A city thrives because the transportation of people. Not vehicles. Buffalo has the opportunity for correction and implementation of a strategy that could allow the city to flourish and be looked at as a progressive example in the face of climate change. Should this opportunity be wasted on

a white elephant project that is costly, elaborate, unnecessary and serves more as a political gesture than a practical solution to a problem, my hope for the area will be lost.

Questions:

1) **What is context or merit for measuring community connection?**

2) **Does the implementation of bicycle lanes for the 0.5% of people in the corridor who cycle to work being used as the evidence-based reasoning for claiming that the project reduces vehicle dependency and achieves complete street initiatives?**

3) **What is the $C02_e$ emission reduction goal? The CPLCA Line 31 indicates 80% below 1990 values while NYSDOT identifies it at 85% below the 1990 values.**

4) **Could the NYSDOT provide a tabulation of its concurrence with CPLCA in regards to green house gas emissions in a simple way that the public can understand it?**

5) **Has there, or will there be any collaboration with WNY Regional Economic Development Council (REDC) in regards to their strategic plan for Buffalo's East side?**

6) **Is NYSDOT aware of the significant public concern and desire to have an EIS performed? Will one be performed?**

7) **Can NYSDOT perform a traffic analysis of the complete removal of the Expressway? Are they electing not to because the results might suggest that the radial streets could potentially have enough capacity to handle the diverted traffic?**

8) **Was there any consideration for the future and trends of the transportation industry as a whole? The observed rising cost of new and used vehicles in conjunction with rising inflation could potentially suggest that less people may own personal vehicles by the year 2047?**

9) **Is the NYSDOT and others responsible for the plan aware of the great appeal of the Buffalo Niagara Region and its access to the Great Lakes in regards to its appeal brought by Climate Change? In this context, how is the complete lack of planning for public transit being justified?**

10) **Has it been brought to Public attention that Tunnel projects notoriously run overbudget and construction lasts longer than originally scheduled? Does the NYSDOT have a PR solution for when this inevitably happens?**

Figures referenced in comment:

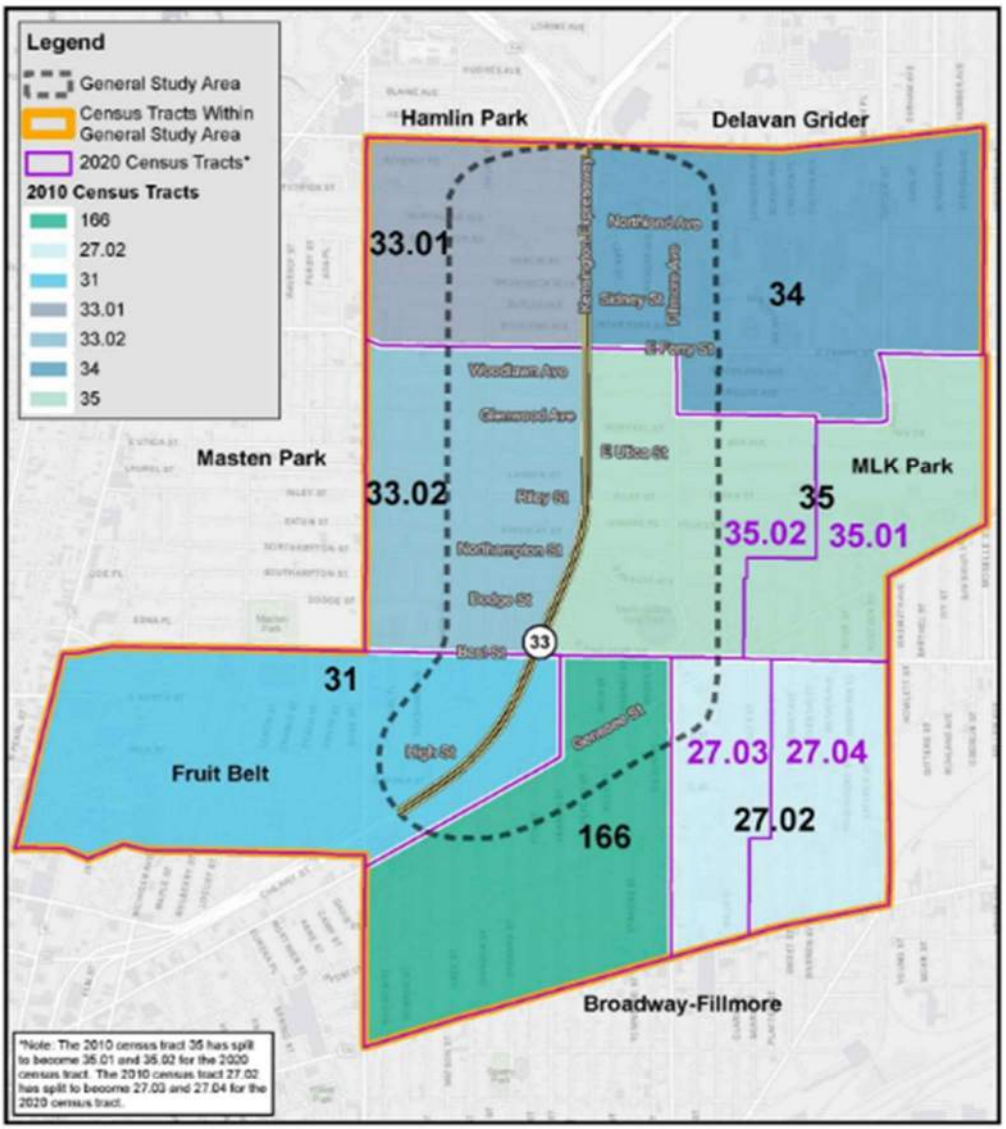
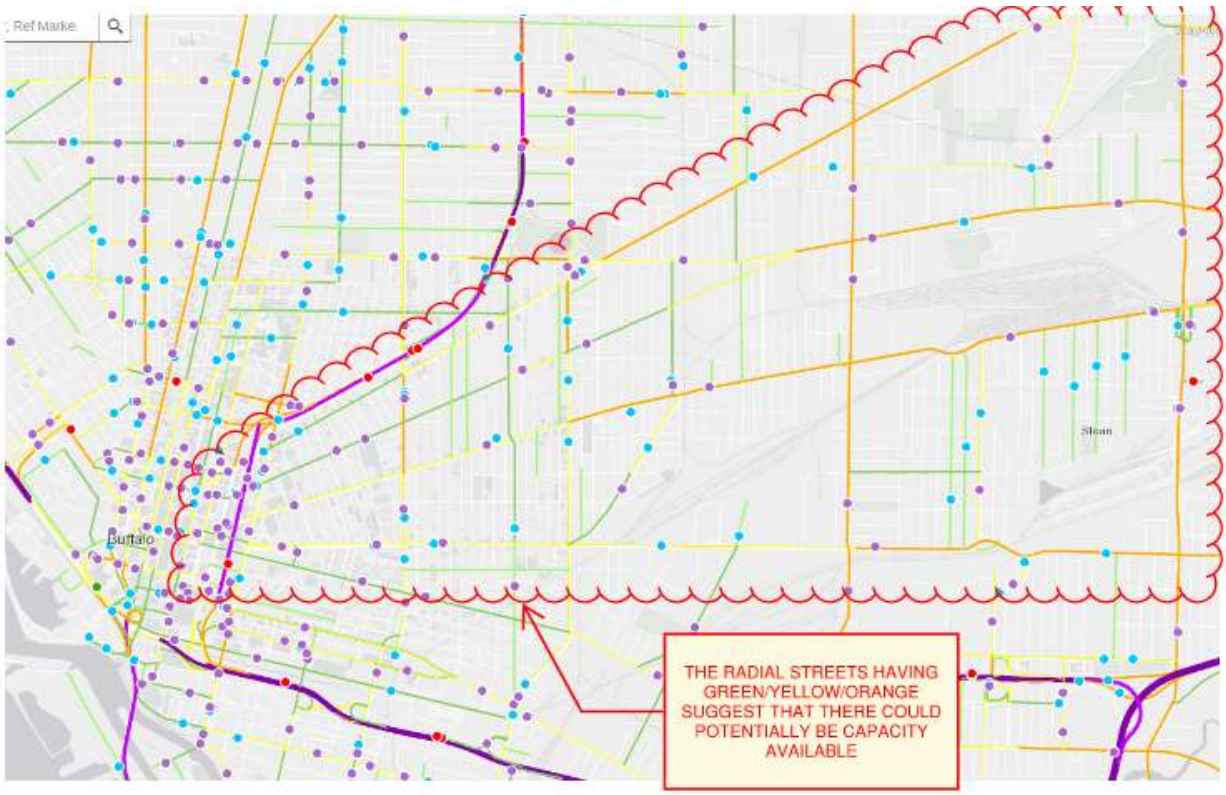


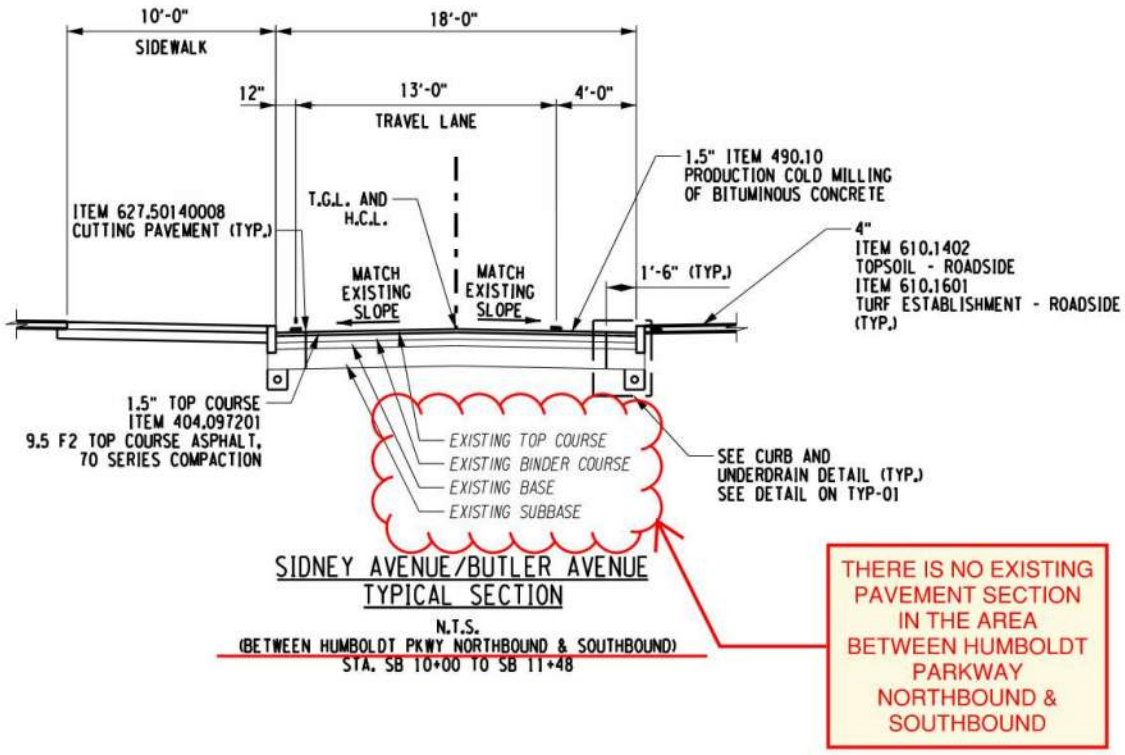
Figure 4.2-1

2010 and 2020 Census Tracts

PIN 5512.52
NYS Route 33, Kensington Expressway Project
Erie County, NY

Population	Workers by Means of Transportation to Work										
Area	Total Workers	Car Truck or Van		Public Transportation		Bicycle		Walked		Taxi/Motorcycle/Other	
		Count	%	Count	%	Count	%	Count	%	Count	%
CT 27.03	761	681	89.5%	37	4.9%	0	0.00%	27	3.55%	16	2.10%
CT 31	916	490	53.5%	191	20.9%	36	3.93%	163	17.79%	0	0.00%
CT 33.01	1707	936	54.8%	333	19.5%	0	0.00%	97	5.68%	67	3.93%
CT 33.02	938	719	76.7%	168	17.9%	0	0.00%	24	2.56%	27	2.88%
CT 34	1010	649	64.3%	191	18.9%	0	0.00%	98	9.70%	72	7.13%
CT 35	990	791	79.9%	166	16.8%	0	0.00%	0	0.00%	19	1.92%
CT 166	849	612	72.1%	133	15.7%	0	0.00%	57	6.71%	0	0.00%
Study Area Total	7171	4878	68.0%	1219	17.0%	36	0.50%	466	6.50%	201	2.80%
City of Buffalo	118996	92296	77.6%	10837	9.1%	873	0.73%	6492	5.46%	1951	1.64%
Erie County	454568	384719	84.6%	14655	3.2%	1680	0.37%	11395	2.51%	4783	1.05%




10'-0"
SIDEWALK
18'-0"
12"
13'-0"
TRAVEL LANE
4'-0"
1.5" ITEM 490.10
PRODUCTION COLD MILLING
OF BITUMINOUS CONCRETE
ITEM 627.50140008
CUTTING PAVEMENT (TYP.)
T.C.L. AND
H.C.L.
MATCH
EXISTING
SLOPE
MATCH
EXISTING
SLOPE
1'-6" (TYP.)
4"
ITEM 610.1402
TOPSOIL - ROADSIDE
ITEM 610.1601
TURF ESTABLISHMENT - ROADSIDE
(TYP.)
1.5" TOP COURSE
ITEM 404.097201
9.5 F2 TOP COURSE ASPHALT,
70 SERIES COMPACTION
EXISTING TOP COURSE
EXISTING BINDER COURSE
EXISTING BASE
EXISTING SUBBASE
SEE CURB AND
UNDERDRAIN DETAIL (TYP.)
SEE DETAIL ON TYP-01
SIDNEY AVENUE/BUTLER AVENUE
TYPICAL SECTION
N.T.S.
(BETWEEN HUMBOLDT PKWY NORTHBOUND & SOUTHBOUND)
STA. SB 10+00 TO SB 11+48
THERE IS NO EXISTING
PAVEMENT SECTION
IN THE AREA
BETWEEN HUMBOLDT
PARKWAY
NORTHBOUND &
SOUTHBOUND

From: Sean Sweeney
To: dot.sm.kensingtonexpressway
Subject: PIN 5512.52 - Doing things because they are easy or because they are hard?
Date: Friday, November 10, 2023 9:47:11 PM

This project will crush the vision of what many in the community feels is possible. Especially with a budget of 1 billion dollars. The project should be rescoped with sustainable practices and incorporate light rail. Much of the design for the infill is already done as survey, microstation files, and various required design studies for the area are complete.

The project fails to restore humboldt parkway. A true restoration in the spirit of Olmstead would be to have MLK connected to Delaware Park via infill. This is an obvious observation to make.
This should not be considered a 'restoration' to many of the community members in the area and those that remember it as it once was are insulted.

This project should be scoped with and in collaboration with the $65 million available for the East Side Corridor Economic Development Fund. Under this vision, it is at least worth a feasibility study if for the budget of $1Billion the following could be achieved:

Light Rail and improved roadways implementing Transit Oriented design on the following radials:

Broadway Radial:
Length: 3.55 miles

Genesee Radial:
Length: 7.88 miles

William Radial:
Length: 3.2 miles

Branch up Bailey Ave:
Length: 1.9 miles

Maintenance costs for light rail systems are often expressed as a percentage of the initial capital cost of the system. On average, maintenance costs can range from 1% to 3% of the capital cost per year.
A moderate assumption will use the estimate of 2%

Assuming the potential ridership of the area is 20% based on NYSDOT provided data of 17%. The additional 3% accounts for demand created by those further from the

project area.

Another assumption is that half of the billion dollars will be set aside for maintenance cost. This assumption is ridiculous, but so is the budget of 1 billion dollars.

Calculate Total Length:

3.55+7.88+3.2+1.9=16.53 miles
Estimate Annual Maintenance Cost:

Assuming a maintenance cost rate of 2% and an average cost of $60 million per mile:

Maintenance Cost ≈ 0.02 × Total Length × $ 60 million

Maintenance Cost ≈ $19.836 million per year

Years set aside for maintenance budget: $500,000,000/$19,386,000 = 25,191 years.

At a cost of $19.8 million per year, $987.7 million dollars remains for the budget of infill, complete streets initiatives and everything else that could be spent to showcase buffalo as a progressive and successful century.

Instead the plan is to spend this money and invest in technology of the past as if that wasn't the original mistake that we're claiming to correct now.

To quote President John F. Kennedy, "We choose to go to the moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win, and the others, too."

From: Colesw Colesw
To: dot.sm.kensingtonexpressway
Subject: Public Comment, Kensington Expressway, Resident of Buffalo
Date: Friday, November 3, 2023 2:29:55 PM

To all who are concerned,

Please reconsider using this money to promote car dependent infrastructure that will continue to harm the residents of the East side of Buffalo with asthma and noise pollution. We are facing a climate catastrophe that calls for alternatives to car travel and eliminating car dependency, this project ignores these issues to continue business as usual and promote car dependency. Please consider repurposing these funds to expand the light rail and bus routes in this city.

Thank you,

Cole Swenson, Engineer, Buffalo resident

From:	on behalf of Mary Sykes
To:	dot.sm.kensingtonexpressway
Subject:	Kensington Expressway Project
Date:	Friday, November 3, 2023 6:04:10 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Ms. Mary Sykes

From: RONALD SZALKOWSKI
Sent: Saturday, October 21, 2023 2:54:27 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Szalkowski , Ronald
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: None
Comment: Covering the expressway does little, if any, to restore neighborhood. Funds for projects could and should be used elsewhere. A couple bridges across the 33 to reconnect streets would be an improvement. Use money for healthcare facilities. Would help more residents.

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From: Diann Takens
Sent: Friday, November 10, 2023 9:27:58 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Takens, Diann
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: This project needs an Environmental Impact Statement/Study. I request a FULL RESTORATION of Humbolt Parkway

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From: Mark Talley
Sent: Thursday, October 5, 2023 5:26:05 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Talley, Mark
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Firstly, a highway could disrupt the peaceful ambiance and close-knit community atmosphere that residents value. Increased traffic, noise pollution, and reduced air quality are also concerns associated with highways, which could negatively impact the well-being and quality of life for those living nearby. Additionally, the construction of a highway might lead to the destruction of green spaces, parks, or historic landmarks, further diminishing the neighborhood's character and recreational opportunities. Lastly, property values could be adversely affected, potentially leading to economic hardships for homeowners in the area. These are some of the reasons why individuals may not want a highway built through their neighborhood.

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From: Charles Taylor
Sent: Friday, November 10, 2023 4:48:46 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Taylor, Charles
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: Please convert this back to the parkway it once was. This is a once in a lifetime chance to fix a massive error and it shouldn't be squandered. Buffalo had one of the best park systems in the work and it could again. It's such a huge opportunity. I drive through there all the time and slowing down and enjoying the drive will be worth it. Anyone who doesn't think so can find alternative routes. We have such a beautiful city already and it can be even better!

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From: John Terhaar
To:
Subject: Expressway nonsense
Date: Sunday, October 29, 2023 1:14:00 PM

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This is a complete waste of money. East side improvements should include affordable housing, small business support and school curriculum improvements. If the money must be wasted on paving projects, pull the moronic speed bumps and pave the fucking streets!

-----Original Message-----
From: Sc Thiele
Sent: Monday, November 6, 2023 8:55 AM
To: Fischlein, Eric
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Thiele, S. C.
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Buffalo Booster
Comment: It's about Opportunity Cost! With so..so..many issues plaguing Buffalo, this convoluted plan to cover the Kensington just does NOT provide enough benefit. And, likely, will be another 'Opps, what were we thinking' project that we'll come to regret!
Try again! My family's history is rooted in Buffalo. No one cared when our neighborhoods became blighted many years ago. That said…let's have a new and BETTER vision for a BETTER BUFFALO. A billion dollars spent elsewhere would help!

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From: Priscilla Trageser
To: dot.sm.kensingtonexpressway
Date: Thursday, November 9, 2023 4:00:40 PM

Dear Sir or Madam,

I strongly support that the Kensington Expressway be restored to its original state or to the recommendation by the Olmsted Parks Conservancy. Please do not make this about money. Our country is so wealthy. There is money to be had. Let's get this right, finally, for the very, very deserving people of East Buffalo. Other people get this privilege.

Thank you.

Mrs. Priscilla Trageser

From: Aaliyah Mendoza
Sent: Friday, November 10, 2023 8:19:44 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Tramp, Aaliyah
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This project further preserves the highway that destroyed and separates the community. Moreover it will be blowing tons of exhaust onto the neighborhood and campus.

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-----Original Message-----
From: Janice Trautman <
Sent: Friday, October 27, 2023 11:39 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Trautman, Janice
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I am wondering why a tunnel will be considered for the 33 expressway.
I, myself will not be using the expressway if the expressway is tunneled. Many people have a fear or are claustrophobic of an enclosed area. I am very disappointed this is being considered. I will be rerouting to find a longer but fearless route.
Terrible idea, please consider everyone's comments.
Thank you

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From: Donna Truman
To: dot.sm.kensingtonexpressway
Subject: 33 covering
Date: Thursday, November 2, 2023 2:01:59 PM

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ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Please do not spend a billion dollars on this and you know it will be more than that due to asbestos removal. A billion dollars should be used on education, job training and improving the horrific state of our nursing homes.
Thank you,
Donna Truman

Sent from my iPhone

-----Original Message-----
From: Donna Truman
Sent: Thursday, November 2, 2023 4:12 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Truman, Donna
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: My opinion is to say No to the Rt 33 covering. A billion dollars is to much even though it's Federal infrastructure money, use it to fix bridges, or rural areas Wi-Fi. I not sure what you visualize but we do not need to go backwards, no one goes outside anymore. I was just out for my daily walk and saw no one .

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From: Donna Truman
Sent: Friday, November 3, 2023 2:35:13 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Truman , Donna
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I wrote yesterday and I just want to add one more idea. How about we take that Federal money and build a few recycling plants. This would put people to work and help save our environment!

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From: Kat Tyler
Sent: Friday, November 10, 2023 6:24:07 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Tyler, Kathleen
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: EM Tea Coffee Cup Cafe in Hamlin Park
Comment: I am excited, fully committed and on board with the project!
This will build up the Community and greatly improve this stretch of Buffalo.
I was a child when the original devastation occurred and should have never happened. This is a beautiful area and should be reconnected.
This project will slow down traffic, reduce gas emissions and improve neighborhoods.

* this email was generated by kensingtonexpressway.dot.ny.gov

From: Susan Udin
Sent: Thursday, November 9, 2023 9:53:48 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Udin, Susan
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: The current plan for decking over part of Rte 33 is not adequate. In particular, the pollution mitigation plan is vague and depends upon the action of an unnamed entity to scrub the walls that are assumed to absorb the pollutants. Who will actually do this work? What proportion of the auto exhaust and tire particulates will actually be caught, and how much will be released in quantity at the ends of the tunnel.
The depth of the soil level in the deck seems unlikely to be sufficient to support tree growth. Moreover, how will the tree roots be prevented from damaging the roof of the tunnel? I've seen how powerful roots can be as they encroach on buried water pipes and lift chunks of sidewalks.
Most importantly, installing the deck seems likely to preclude any further improvement of either rte. 33 or rte. 128. It would be much better to have an integrated plan to restore the whole system.
Thank you.

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From: Lori Ulak-Church
To: dot.sm.kensingtonexpressway
Subject: RE: RT. 33 Expressway
Date: Friday, September 29, 2023 12:38:12 PM

To whom it may concern,

RT. 33, Kensington Expressway that constantly have accidents on there. Has anyone considered how to handle that with the minimum room to take care of it on the Kensington expressway, RT. 33?

The Scajaquada Expressway, RT. 198 is the real issue here. RT. 198 is the one that the park is where children are around that is in danger and should be covered. My suggestion is evaluating It Buffalo before jumping into this matter of covering up RT.33 and put the money for the SAFETY of the peoples. This is where RT.198 should be the one that NEEDS to be covered to protect the people by the park.

Regards,
Lori Ulak-Church

From: Brian VanDeBogert
To: dot.sm.kensingtonexpressway
Subject: Comment on Kensington Expressway Project
Date: Friday, November 10, 2023 1:25:04 PM

Hello,

I'm writing to express my opposition to the NYS Rt 33 Kensington Expressway Project. Specifically, I am calling for the state to engage in a full Environmental Impact Statement (EIS) process for this project. In the public hearings I attended and in the DOT's EA report, it was clear that the environmental impact of this project has not yet been fully assessed. Building this tunnel does not comply with the letter or the spirit of New York's Climate Leadership and Community Protection Act, (CLCPA). While conducting the full EIS, the DOT also needs to further study alternative build options, including filling in the highway and restoring the Humboldt Parkway. The One Parkway Now concept as laid out by the Eastside Parkways Coalition is a compelling vision of an East side that is truly reconnected and revitalized. The DOT didn't consider this option seriously because it didn't meet the project objective of maintaining the daily vehicular traffic of Rte 33. However, the DOT took a very narrow view of this objective. We need more extensive study of how we can divert some of that traffic onto the radial roads (e.g. Sycamore, Broadway, Genesee) while also improving public transit options to reduce the number of cars on the roads altogether. The radial roads are underutilized, and Buffalo's Public transport system is underdeveloped. An investment in a more holistic transportation system is also an investment in improved quality of life for east side residents. I have talked to many Buffalonians, including a great number of East Side residents about the proposed project. Only a very small number of those I have talked to are in favor of the tunnel project. The fill-in option has much broader support. Please do the right thing and conduct an EIS, so that we can have a community informed and data-driven solution that will truly achieve the stated goal of this project of reconnecting this community.
Kind regards
Brian VanDeBogert

From: Craig Van Tine
To:
Subject: NYSDOT Kensington Expressway
Date: Thursday, November 2, 2023 9:19:13 AM

To: NYSDOT (Kensingtonexpressway@dot.ny.gov), Senator Tim Kennedy, Assemblymember Crystal Peoples-Stokes, Senators Schumer and Gillibrand, Congressman Higgins, and Governor Hochul

I truly feel that the bandage of the expressway spending the amount of money you expect to spend, is ludicrous.

I feel that the expressway should be abandoned and full revival of the original tree lined parkway should be reinstated.

The economic driver for that portion of buffalo will be immeasurable over the long term of the city in that it will revive property values, reduce a dangerous and expensive highway to maintain, and bring about community the way that it once was, rather than cutting off citizens from living in quiet peaceful streets.

This expressway has loads of options to drive in a different path, and is a useless highway and should be abandoned.

Sincerely,

Craig D. Van Tine

CRAIG VAN TINE | real estate broker
VAN TINE
Real Estate

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Susan Vandrei
Date: Thursday, November 9, 2023 3:29:47 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

Please do not build a tunnel that will cause more damage to the environment and people and the entire area. Please listen to the plan put forth by the East side coalition. It makes so much more sense, and costs less! The goal is to connect and revitalize neighborhoods, not build a tunnel that will take years, connect no one; and is certain to cost double the projected cost.

Name

Susan Vandrei

Email

Date

11/9/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Lourdes Vera
To: dot.sm.kensingtonexpressway
Cc: Asli Guler
Subject: Public Comment about Kensington Expressway
Date: Friday, November 10, 2023 8:24:56 PM

Dear Kensington Expressway Project Board and Team,

We are writing as community-based participatory researchers based at the University at Buffalo in the Departments of Sociology and Environment & Sustainability. After reviewing the carefully compiled plans for the Kensington Expressway and consulting with community groups and individual Buffalo residents alike, we share deep concerns about the project and design process. While we acknowledge the dedication and resources that have gone into developing this plan, we sense a lack of community participation in the planning and share similar hesitations as other residents such as Mr. Dan Cadzow from Partnership for Public Good and groups such as WNY Clean Air Coalition.

While we acknowledge the project's potential to enhance connectivity and improve the overall ecological and public health of the neighborhood, it is imperative to address the concerns raised by the local community. Many residents are calling for the Kensington to be filled and not capped. The arguments against this have not carried sufficient evidence or assessment. For instance, while we understand that this could increase traffic congestion and resulting air contamination on other arterial streets and Interstate 190, the report did not fully address the impact of electric vehicle development. It also did not explore potential public transit improvements but instead pushed this responsibility to NFTA. Moreover, Buffalo is indeed experiencing its renaissance and first moment of population growth in decades, but questions remain regarding urban activity, population, and traffic congestion in 1958 when the Kensington was built versus now.

As sociologists, we also realize that the Kensington Expressway allows vehicles to move through the East Side without actually relating to the neighborhood as a place. Fillmore Ave. and Jefferson Ave, for instance, are covered in potholes and abandoned storefronts. Residents are calling for revitalizing these streets, which would require more traffic for this to materialize.

Most importantly, community members feel that they have not been adequately involved in the decision-making process that directly affects their neighborhood. While information has been made available, results from community surveys or evidence of participatory planning is not in the report despite all of the public meetings and downtown office designated for people seeking information. Top-down planning has been detrimental to communities, as we have already seen.

We urge you to reconsider this plan, survey community members on what they envision for their neighborhood, and direct resources toward realizing these dreams. We support development in initiatives like a light rail between downtown and the airport along with basic infrastructural improvements like road paving and bicycle lanes. Please do not repeat past mistakes.

Sincerely,
Dr. Lourdes Vera and Asli Guler

Lourdes Vera, PhD
Book a time to meet with me

Assistant Professor
Department of Sociology
Department of Environment and Sustainability

406 Park Hall, North Campus
University at Buffalo
Buffalo, NY 14260

Pronouns: She/They

From: Rick
Sent: Thursday, October 26, 2023 5:21:51 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Verano, Rick
Address: , ,
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: I, along with pretty much everyone I have ever talked to about this, thinks this is a ridiculous idea. The traffic nightmare this will create during construction will be a disaster. The people making these decisions probably don't even drive this route into or out of the city. That money could be better spent on improving roads in the city, some of which are a mess. Everything they've been doing to the major roads around the city has just made things worse for commuters. Eventually, people will not want to go downtown.

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Matthew Verrelli
Date: Thursday, November 2, 2023 3:57:03 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name

Matthew Verrelli

Email

Date

11/2/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Matthew Verrelli
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project
Date: Friday, November 10, 2023 2:09:13 PM
Attachments: Matthew Verrelli - Comment.pdf

To whom it may concern:

My name is Matthew Verrelli, I live at in the City of Buffalo, and I wish to express my deep opposition to the NYS Route 33/Kensington Expressway Project as it is currently proposed. Filling in the entire length of the expressway and restoring Olmstead's parkway is the only acceptable alternative.

As a student of a Master of Urban and Regional Planning program located right here in Buffalo, I can confidently say that this project flys in the face of every sound planning principle there is. This project constitutes a remarkable disregard for the residents of the East Side and places the convenience of commuters above a disenfranchised community. Humboldt Parkway, a masterpiece of urban design, was stolen from Buffalo some 65 years ago. Now we want it back.

If I-81, with a similar AADT to the Kensington, can be brought down and replaced with an at grade boulevard why can't the Kensington be filled in? If Inner-Loop East and North can be filled, then why can't the Kensington? **Why do we have to pay more and settle for less here in Buffalo?** Fill in the Kensington, restore the parkway, and reconnect Buffalo - now.

Sincerely,
Matthew Verrelli

From:
Sent: Friday, November 10, 2023 5:40:38 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Voss, Katarina
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This project will be incredibly destructive to the community and the environment!!! Buffalo does not need more highways or false promises of "connection" that only separate us more. We value our parks, our people, and our city too much to watch another highway embed itself and pollute. I am highly against this project. It is not a solution it is a coverup.

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From: William Wachob
To: dot.sm.kensingtonexpressway
Subject: Comments on Kensington Expressway Project
Date: Thursday, November 2, 2023 12:49:44 PM

RE: Comments on the Proposed Kensington Expressway Project in Buffalo

I urge the DOT to fully restore the original Olmsted designed Humboldt Parkway by filling in all below-grade portions of the Kensington Expressway and reconstituting the original Olmsted Parkway. This is in the short and long-term benefit not only of the local neighborhood, neighbors living adjacent to and nearby the Expressway, but all of the people of Buffalo and Western New Yorkers. Quality of life, peoples' health and safety, and the beauty of the Olmsted Parkway trump any relatively small savings of time from having to drive city streets or a faster ring road to get to and from downtown Buffalo or other city neighborhoods. This would also serve as an incentive for people to live in Buffalo fostering the health of the city and, in turn, that of Western New York. Please fill in the Expressway, restore the Olmsted Parkway, and do the right thing.

Finally, I would appreciate receiving information on future meetings, plans, etc., regarding this project.

Sincerely,

William K. Wachob

From: karen waible
To: dot.sm.kensingtonexpressway
Subject: Public Comment
Date: Monday, November 6, 2023 7:42:01 PM

Greetings: I have been reading about the project in the Buffalo News and listening in on our local public radio station. The state has the opportunity to redress the damage done decades ago. The state needs to consider returning Humboldt Parkway as it was before the expressways (Rt 33 & 198) were constructed. Spending one billion dollars on a partial fix is wasteful. Given that the city population is much less than it was in the 1950s, and that remote work has become more common, and that there are alternate routes to commute between the suburbs and downtown , reinstituting the parkway needs further consideration. I frequently travel Elm St. and Oak St. downtown & impressed at the great job that has been done with synchronized traffic signals. This would aid any commute on a revived Humboldt Parkway. Also it is ironic that removing the Skyway has been favored, with the option of commuting on city streets, while the same consideration is ignored for the Kensington. Also, commuters have put up with the lowered speed limit on the 198 for years (when lack of barriers, not speed was the contributing factor to the fatal incident), and we all travel at lower speeds to access highways.in our neighborhoods. I know that the local organization has put a lot of work on this for decades & is impatient to "do something!!" But please take a bit more time & do it right.
Sincerely, Karen E. Waible

From: Valerie Wales
To: dot.sm.kensingtonexpressway
Subject: Re: Public Comment on Kensington Expressway Project
Date: Wednesday, October 25, 2023 5:46:34 PM

Dear NYS Department of Transportation,

My name is Valerie Wales. Please accept these AMENDED comments regarding the September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52):

The Air Quality at Tunnel ends is ***made worse*** by focused Portal Exhaust Plumes.

The Tunnel cements in-place that ***Delaware and MLK Parks will never be connected by a parkway.***

DYSDOT's Tunnel does not comply with CLCPA mandates.

More details are needed from NYSDOT on the extensive ***asbestos containment*** required during construction.

Due to these observations and concerns, ***I demand an Environmental Impact Statement (EIS) Review for this project.***

Please also provide a 45-day Extension for the DDR/EA Comment Period. The DDR/EA is over 300 pages, plus nearly 40 Appendices. Providing the public a month and a half to review these materials is not sufficient.

Thank you,
Valerie Wales

On Wed, Oct 25, 2023 at 10:07 AM Valerie Wales < > wrote:

> Dear NYS Department of Transportation,
>
> My name is Valerie Wales. Please accept these comments regarding the September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52):
>
> The Air Quality at Tunnel ends is ***made worse*** by focused Portal Exhaust Plumes.
>
> The Tunnel cements in-place that ***Delaware and MLK Parks will never be connected.***
>
> ***DYSDOT's Tunnel does not comply with CLCPA mandates.***

More details are needed from NYSDOT on the extensive ***asbestos containment*** required during construction.

Due to these observations and concerns, ***I demand an Environmental Impact Statement (EIS) Review for this project.***

Please also provide a 45-day Extension for the DDR/EA Comment Period. The DDR/EA is over 300 pages, plus nearly 40 Appendices. Providing the public a month and a half to review these materials is not sufficient.

Thank you,
Valerie Wales

--
Valerie Wales

--
Valerie Wales

From:	Bradley Wales
To:	dot.sm.kensingtonexpressway
Cc:	Bradley Wales
Subject:	Brad Wales Letter to NYSDOT in response to the Kensington Expressway Project PIN 5512.52 Sept. 2023 DDR/EA
Date:	Friday, November 10, 2023 10:07:25 PM
Attachments:	Brad Wales_Letter to NYSDOT_re_DDREA_11-10-23.pdf

November 10, 2023

To: New York State Department of Transportation (NYSDOT)
Transmitted via email herein and attached as a PDF to:

Kensingtonexpressway@dot.ny.gov

My name is Brad Wales. I am a resident of Buffalo, New York. Please accept the following comments regarding the September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52).

Please accept this Letter as submitted herein on 11-10-23 even though I just heard a rumor that the deadline was at 5pm; however, when one goes on your website, there is no visual clue there would be a 5pm deadline (see attached photo), and even when you click on the comment form, there is no mention of the 5pm deadline, so please accept this letter in response to the DDR/EA.

The DDR/EA indicates Air Quality at Tunnel Build Alternative ends is ***made worse*** by focused Portal Exhaust Plumes. NYSDOT's DDR/EA indicates Particulate Matter PM2.5 will increase 6% "near the Tunnel exit portals" (p201), and Plumes will extend 300-meters (p22 Appendix D7 Air Quality). The 6% PM2.5 increase actually seems like a low estimate; upon review of the Tables in Appendix D7, it seems like the actual increase in PM2.5 may be more in the range of 25%-67%, and CO may increase by as much as 150%.

People have been getting sick and dying too young in the neighborhoods adjacent to Route 33 for many years. The EPA's Environmental Justice Tool shows the East Side neighborhoods adjacent to Route 33 have ***Asthma rates in the 95-100 percentile nationwide***. The EPA EJ Tool also shows East Side neighborhoods adjacent to Route 33 have ***Low Life Expectancy in the 95-100 percentile nationwide.***

When it became apparent that Filtration of vehicle exhaust was not possible, ***the Tunnel Alternative should have been eliminated from consideration.***

A thorough and impartial epidemiological ***Adverse Health Effects Study*** is required

to survey people who have lived along the highway to document what kind of pollution-related ailments residents have suffered over the last 60-years (asthma, heart issues, high blood pressure, COPD, pre-term birth, various cancers, and low life expectancy). This Study needs to be conducted before this project moves forward any further. The critical need for this baseline Study is one of the most important reasons an ***Environmental Impact Statement*** is required.

Because Scajaquada Creek is buried five feet below the existing Route 33 roadway surface, the Tunnel Build Alternative cements in-place that ***Delaware and MLK Parks will never be connected by a Parkway.***

If NYSDOT purports it is possible to connect the two Parks in Future Phases, NYSDOT needs to provide Drawings and Cost Estimates to the community showing how that will be done prior to moving forward with any aspect of this project. For design professionals, it is irresponsible to make what amounts to an empty promise of Future Phases without designing the entire project first—the Whole Action—and providing Cost Estimates for each Phase so the community would have the information needed to evaluate the feasibility of potential Future Phases.

NYSDOT's Tunnel Build Alternative does not comply with CLCPA mandates for reducing Vehicle Miles Travelled (VMT) nor for reducing greenhouse gas emissions by 40% by 2030. Other Alternatives—ones that do comply with CLCPA—need to be considered in an Environmental Impact Statement.

More details are needed from NYSDOT on the extensive ***asbestos containment*** required during construction.

The Tunnel will cost $5 million in annual Maintenance Costs. (Page 145 in the DDR/EA) This is an unacceptable financial burden to place on future generations.

Olmsted's design is the first-ever fully-connected City-wide Park and Parkway System in the history of the United States. A ***Cultural Landscape Report*** (CLR) still needs to be completed due to the historic significance of the Olmsted Park and Parkway System. NYSDOT appears to have made no purposeful evaluation of the original Humboldt Parkway; only a CLR with its related "Period Plan evaluation" can provide the proper evaluation of this international landscape design treasure.

Due to these observations and concerns, ***I demand an Environmental Impact Statement (EIS) Review for this project.***

I further demand that the EIS include a thorough and impartial consideration of fully restoring Humboldt Parkway to connect MLK Park with Delaware Park, as part of the EIS.

I would also like to point out NYSDOT brought a pre-filled-out form letter to a recent community meeting to solicit signatures in support of the project, thus thwarting any

chance of engaging in meaningful public participation. **The action of *a state official leveraging their authoritative and discretionary power*** to pressure laypersons to blindly sign a pre-filled-out form, **raises serious concerns that NYSDOT is not complying with the strict standards of meaningful public participation. Letters submitted in this process should not be considered.** (See the Letter attachment from NYCLU.)

Please also provide an Extension of 30-days for the DDR/EA Comment Period. The DDR/EA is over 300 pages, plus nearly 40 Appendices. Providing the public just two months to review these materials is **not sufficient.**

Thank you,

Brad Wales

From: Valerie Wales
To: dot.sm.kensingtonexpressway
Subject: Additional comments for the Kensington Expressway project
Date: Thursday, November 9, 2023 7:47:56 PM

Dear NYS Department of Transportation,

My name is Valerie Wales. Please accept these comments regarding the September 2023 NYSDOT Draft Design Report/Environmental Assessment (DDR/EA) for the NYS Route 33, Kensington Expressway Project (PIN: 5512.52):

NYSDOT's Tunnel does not comply with Climate Leadership and Community Protection Act mandates.

The air quality at tunnel ends is ***made worse*** by focused Portal Exhaust Plumes (exhaust will go up by 6%, per NYSDOT's documents).

More details are needed from NYSDOT on the extensive ***asbestos containment*** required during construction.

Due to these observations and concerns, ***I demand an Environmental Impact Statement (EIS) Review for this project.***

The tunnel cements in-place that ***Delaware and MLK Parks will never be connected by a parkway***. The tunnel cannot be extended because it will run into the underground Scajaquada Creek. To properly reconnect the community that was divided by the Kensington Expressway's original construction, **a removal of the expressway and a full restoration of the historic Humboldt Parkway needs to be considered.**

There have been comments made to the media that if there is community opposition to elements of this plan (due to the lack of EIS, the removal of highway removal and full parkway restoration from consideration, among other things) that the money will be removed from the community. **This is unacceptable.** I call on the NYSDOT, Governor Hochul, Congressman Higgins, State Senator Kennedy, State Representative Peoples-Stokes, Mayor Brown, and Secretary Buttigieg to **pledge that this money will not be taken from this community** – simply because the community wants to get the best possible project for itself.

Thank you,
Valerie Wales

--
Valerie Wales
Student

From: Jim Walkowski <
Sent: Tuesday, October 31, 2023 4:24:24 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Walkowski, Jim
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Citizen
Comment: Restore Humboldt Pkwy to original condition. Spend remaining funds improving Jefferson Ave, Baily Ave, and Fillmore Ave.

You should be prioritizing PEOPLE and COMMUNITY over making sure commuters can drive their CAR as fast as possible out of the city!!

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-----Original Message-----
From: John Walsh
Sent: Wednesday, November 8, 2023 8:35 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Walsh, John
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Local Resident and Citizen
Comment: The construction and continued existence of the Kensington Expressway is an abomination. The time and opportunity to eliminate this scar and restore Olmsted's park system is now. Cap and tunneling a short portion of Humboldt Pkwy. is not the appropriate remedy. Removing the expressway, restoring the parkway connection from Agassiz Circle, and coordinating this work with reducing the scale of the Scajaquada (Rt.198) is the best resolution for the overall community.

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Sent from my iPhone
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From: TD W
Sent: Friday, October 20, 2023 12:51:01 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Watson, Timothy
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: What is the cost of upkeep on such a venture? Just curious....However, I do believe it should be filled in and returned to the original plan. We have the I 90. That's enough highway.

* this email was generated by kensingtonexpressway.dot.ny.gov

-----Original Message-----
From: Noah Webster
Sent: Friday, October 20, 2023 4:24 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Webster, Noah
Address: ,
Phone:
Email:
Include on future project updates: YES
Affiliation: Concerned Citizens
Comment: I oppose the NYSDOT plan to spend over $1 Billion to turn the 0.8 mile section of the Kensington Expressway into a tunnel when we should be transitioning from car-centered transportation to multi-modal solutions with the high-capacity, high-speed transit LRRT as the spine. In addition to encouraging more cars, NYSDOT's Kensington plan violates NYS's new law for fighting Climate Change.
I call on NYSDOT planners to consider alternatives for this critical revitalization project.

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From: ian wedgewood
To: dot.sm.kensingtonexpressway
Subject: Public comment
Date: Friday, September 29, 2023 2:18:26 PM

Not sure if my public comment went through, moments ago, so I am emailing my comment.

I don't agree with decking the tunnel portion of the expressway. The only way to correct this wrong is to return the land to the City to restore the parkway. Use what money that was budgeted to expand metrorail to the airport and make the radial street grid more efficient.

If you need to insulate yourselves from the political pressure of the auto enthusiasts, hand over the project to the GBNRTC. They have proven to be a good mediator to finding the optimal solution that meets everyone's needs.

Thank you

Ian Wedgewood

From: Jud Weiksnar
To: dot.sm.kensingtonexpressway
Subject: Kensington Expressway Project Feedback
Date: Wednesday, September 27, 2023 9:14:59 PM

I do not believe the comments I made through your webpage went through, so I am sending them in this email.

Tonight I participated in a lively discussion after the main presentation with community stakeholders and Mr. Frank Cirillo as well as other DOT officials. The overwhelming sentiment, with which I agree, is that the plan for a tunnel for the Kensington Expressway should be rejected in favor of filling in the Kensington and restoring Humboldt Parkway as closely as possible to Olmsted's original vision. This project should be done in conjunction with other needs and projects on the East Side, including the East Side Avenues project https://eastsideavenues.org/ It would be of great benefit to the East Side if traffic from the Kensington were redirected to the arterials coming out of downtown (Genesee, Sycamore, Broadway, etc.). The spirit at this meeting was similar to the one where the original DOT project for the Scajaquada Expressway was rejected by the community members. I implore you to not go ahead with the tunnel project.

Fr. Jud Weiksnar, ofm
Ss. Columba-Brigid Church
75 Hickory Street
Buffalo, NY 14204
856-745-6118

From: Marc Weinstein
To: dot.sm.kensingtonexpressway
Subject: Personal comment on Route 33/Kensington Expressway- Buffalo, N.Y.
Date: Wednesday, October 25, 2023 1:45:49 PM

Hello and Thank You for any attention to my note and comments. . .

My name is Marc Weinstein and I am a home owner in Buffalo.

These are comments about the 09/23 NY Dept. of Transportation Environmental Assessment/Draft design report for the
Route 33/Kensington Expressway - (project "PIN 5512.52)

This tunnel will create localized WORSE air quality at EACH end than anywhere today along that route due to the
PORTAL EXHAUST PLUMES.

This design/project will GUARANTEE that Delaware Park and MLK Park will NEVER be able to be reconnected.

Mandates detailed in the NY State Climate Leadership and Community Protection Act (CLCPA) are NOT being met with this design.

The extensive asbestos containment required during construction should absolutely trigger/require the an Environmental Impact Statement (EIS) be produced for everyone involved to review !

I agree that more time os needed for comments as many are just now learning of many of these consequential issues- a 45 day
extension is necessary for all the stakeholders to have a chance to provide truly educated input. . .the 6 weeks provided is hardly adequate !

Thank You again !!

Very Sincerely,

-----Original Message-----
From: Jeffrey Weiss < >
Sent: Saturday, October 28, 2023 8:53 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Weiss, Jeffrey
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Tax payer
Comment: To spend 1BILLION dollars on this project is a waste of money. If you want to help that area of Buffalo spend the money on a train or subway that travels east and west. Also spend money on bringing people downtown. We also need a train from the Southtowns to the city. Thanks. BTW , the Bills stadium should have been downtown. Poor decision by our lawmakers.

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From: Brian White
Sent: Thursday, November 9, 2023 8:02:12 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: White, Brian
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Resident
Comment: I am against the plan to deck over a small piece of the 33. Advocates claim the deck will bring 2 neighborhoods back together that were split by the 33 and this will greatly improve the neighborhoods and residents. 1) there are several bridges that now cross over the expressway that connect these neighborhoods. 2) the deck will connect 2 distressed neighborhoods and they will not suddenly improve with this deck. 3) the $1billion cost is too high and will likely get higher and it should get spent on more worthwhile projects. Many individuals/groups have come out against the project. Most of their concerns are that the DOT should instead restore the entire Humboldt Parkway and the link between MLK and Delaware Parks. Some want to get rid of the 33 altogether. I am also against this more dramatic idea. Street congestion, cost, pollution, energy use, safety and quality of lives will worsen if the 33 is filled in or decked over. There are better ways to improve these neighborhoods.

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From: Wierzbieniec, Andrew
Sent: Tuesday, October 24, 2023 4:39:59 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Wierzbieniec, Andrew
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: None
Comment: This is throwing good money after bad. The 33 was a mistake, but pouring $1b into a cap is just a waste. I'd rather see that money spent on support services for the community, small business loans, or educational scholarships... I understand that is not possible though, so if this does indeed come to pass I'd like to see the cap capable of supporting structures like community centers, residential and commercial spaces, etc.

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From: C Wilcox <
Sent: Thursday, October 26, 2023 11:18:17 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Wilcox, Crystal
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Tax payer
Comment: My tax dollars need to be spent better. There's a reason why the 33 was used in the TMNT movie, it's a raceway. Add a tunnel? Create more carnage with stolen Kia's and drunks leaving downtown bars. This will not infact "connect neighborhoods." The 2 so called neighborhoods are already poor and crime ridden and these "green" areas will be as derelict as MLK park, only trouble will be caused. Oh and incase you didn't know, it snows 6 months a year where is the snow going to go? This is a dangerous and poorly planned project and I wholeheartedly disagree with this terrible tunnel being built. And where are the 75,000 cars going to drive during construction? Delaware, Main, and Elmwood are awful, potholes, no lights are synced etc etc etc. And then cars will cut though the side streets just like they do to avoid Parkside and the awful GoBike lanes on Parkside/Linden.

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From:	Keyaira Williams
To:	dot.sm.kensingtonexpressway
Subject:	My concern with this project
Date:	Sunday, October 1, 2023 10:34:20 PM

The east side need new homes that would beautfie the neighborhood. Lots of money being wasted on this project. This doesn't help the poor people at all this money should be spent to help the people to a better life

From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Chris Williams
Date: Tuesday, November 7, 2023 3:30:39 PM

To the New York State Department of Transportation

- I do **NOT** want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
- I do **NOT** want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
- I do **NOT** want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
- I do **NOT** want this expressway to cut through our neighborhoods—period!

- I **DO** want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
- I **DO** want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to “build” and “no build,” including expressway removal.
- I **DO** want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
- I **DO** want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Additional Comment (optional)

I strongly urge the New York Department of Transportation to conduct a comprehensive environmental impact study for the Kensington Expressway project in Buffalo, NY and consider the full removal of the highway. Assessing the potential ecological and community impacts before moving forward with any major infrastructure development is crucial. Our environment and the well-being of the residents deserve thorough consideration and transparency in this process. As an East Side resident, no such outreach has been made to myself or the many community members I speak to on a daily basis.

Name

Email

Date

11/7/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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From: Oscar Williams
Sent: Friday, November 10, 2023 4:40:38 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Williams, Oscar
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This is not right, get the old highway old of here, the park system and resoring the parks is way more important. Also this project with allow for exhaust to be blown more towards residents and expose them to harmful amounts of CO2 and other car/truck emissions

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From: Camille W
Sent: Thursday, November 9, 2023 9:36:35 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Willis, Camille and Shari
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: We are totally against the proposed 33 Tunnel project. This use of taxpayer money should have been voted on by the citizenry of Buffalo. Many of the community's concerns have not been addressed and the driving force behind this project is suspect.
This construction will change the traffic patterns for seven to ten years. (North to South traffic corridors will become "parking lots" and that will affect the whole of the city.)
Will the lie that the 33 divided a neighborhood continue to be perpetuated as the truth in order to illicit an emotional response from the community that's about to be blasted? If you look back at the history of Humboldt Parkway, its very design separated the Fillmore district from the Masten. This project will victimize (again!) the very community it is supposed to be revitalizing.

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-----Original Message-----
From: Clarence Wilson
Sent: Wednesday, November 8, 2023 10:06 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Wilson, Clarence
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Homeowner
Comment: I am opposed to the plan to cover the route 33 expressway. My home sits at the northern end of the proposed covered section. I am concerned about the fumes that will be emitted from the exhaust fans that blow the unfiltered automobile directly at my home. The rate of respiratory illness in this area is already higher than normal. What does it take to make government realize that we don't want this project shoved down our throats. Hopefully the next generation can reap the benefits from having route 33 filled in.

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From: G Winfield
Sent: Thursday, November 9, 2023 12:20:34 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Winfield , George
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Homeowner
Comment: I feel the 33 should be filled in and the reclaimed land can be developed for housing and businesses.

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From: Paul Wisniewski < >
Sent: Tuesday, October 31, 2023 11:05 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Wisniewski, Paul
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Democrat
Comment: Although I don't live in Buffalo, my church is located in East Buffalo. It may look nice to cover less than one mile of the Kensington, the cost is outrageous. If we think about how much $1 billion is, it's equivalent to giving $100,000 to 10,000 people. This expenditure would be very irresponsible and a disservice to the people of East Buffalo. There are much higher priorities that would benefit a larger number of people such as tearing down dilapidated homes, repairing sidewalks that are over 100 years old and painting lines on city streets. There are no lines on parts of William Street near N. Ogden. If there as many as 100 homes on that stretch of the Kensington where the tunnel is proposed, it would cost $10 million per home for this ill-advised project. If you want to bring people together from these neighborhoods, you should build a new community center built according to the wishes of the people who live there perhaps by using a portion of the former Medaille College.

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Sent from Yahoo Mail on Android

From: Katherine Xiong
Sent: Monday, November 6, 2023 3:52:05 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Xiong, Katherine
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation:
Comment: An environmental impact assessment must be conducted for how the Kensington Expressway changes will affect East Buffalo. This area has continuously been subject to the adverse effects of environmental racism and historic redlining. Due diligence on the Expressway construction and operation's impact is critical to stopping the perpetuation of existing inequities and health disparities.

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From: Kristy Yale
Sent: Friday, November 10, 2023 12:58:37 PM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Yale, Kristy
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation: Resident of Buffalo
Comment: The health of our local environment needs to be the number one priority right now. We should be doing everything we can to restore the land and create more natural spaces wherever possible. From constant pollution to lack of natural ecology, cities are becoming increasingly inhospitable. The air quality in urban spaces specifically is horrible and after years in a pandemic we need healthier air to breathe. We need to prioritize people over cars. People deserve and require natural spaces to exist and enjoy and breathe clean air. Buffalo needs to take actions to make our city more livable and sustainable for current and future generations.

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K Yale
she/her/hers
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From: Carl Yerkovich
Sent: Friday, November 10, 2023 8:14:56 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Yerkovich, Carl
Address:
Phone:
Email:
Include on future project updates: YES
Affiliation: Citizen
Comment: The proposed DOT plan for the Kensington Expressway is inadequate. The Kensington should be filled in, and the Humboldt Parkway should be fully restored to as it was before the Kensington was developed. It will be worth it.

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From: Maria Ziaja
To: dot.sm.kensingtonexpressway
Subject: One Parkway Now!
Date: Friday, November 10, 2023 4:34:19 PM

To whom it may concern:

As a Buffalonian, I have to express that the tunnel being proposed at Humboldt Parkway is not a good solution and is extremely concerning from an environmental and public health perspective. This does not do residents of the neighborhood justice. Please properly reconnect the parks, one parkway now!

Thank you,

Maria Ziaja

From: Rahdne Zola
To:
Subject: NYS Route 33 Comments
Date: Thursday, October 26, 2023 6:47:44 PM

Hello--

I tried submitting comments via your website, but I'm not sure if they were successfully submitted.

What I said was that Project Concept #6 is the next best thing to completely removing the highway. This concept would allow for reinstating the tree-dotted center of the Humboldt Parkway reversing the tragedy committed to that parkway decades ago, all while maintaining the roadway for motorists. We have only one chance to get this right, so let's do it now by giving concept #6 serious consideration.

Thank you so much.

Rahdne Zola

--
Rahdne Zola
visual artist
he/his

From: on behalf of Briana Zuchowski
To:
Subject: Kensington Expressway Project
Date: Thursday, October 26, 2023 9:59:33 PM

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Dear NYS DOT,

As a citizen who cares about the history, culture, and residents of Buffalo, NY, I strongly oppose the Kensington Expressway/Humboldt Parkway project. This project is a threat to the historic districts and properties that are located along the expressway. These are not just buildings, but symbols of our identity and heritage. They represent the stories, achievements, and struggles of our ancestors and communities.

The Area of Potential Effect that you have defined is too small and does not take into account the indirect impacts that the project will have on the surrounding historic areas. These areas include the Martin Luther King Jr. Park Historic District, the Hamlin Park Historic District, and other historic properties located along the construction path. These areas have architectural and cultural significance, and they deserve to be protected and preserved. They showcase the diversity, creativity, and resilience of our city's people and neighborhoods.

The project may cause direct physical damage to these historic resources due to vibration, excavation, demolition, or alteration. It may also cause indirect visual, auditory, or atmospheric impacts that may diminish the integrity of these historic resources. This project may affect our air quality as well, not only throughout construction but after the tunnel is built. These impacts may not only harm the historic resources themselves, but also the people who live in, work in, or visit these areas.

I urge you to rethink this project and to consult with the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP), and the local preservation groups and community members. We do not want to see our historic resources destroyed or degraded by the construction process, and I am concerned that this project will inflict lasting damage to our historic resources. We value our history and culture In Buffalo, and we want to preserve our city's resources for ourselves and for future generations. This project is not only a transportation issue, but also a cultural issue. It affects not only the present but also the future. I hope that you will listen to my concerns and work with Buffalo residents to find a better alternative that respects and protects our history.

Sincerely,

Sincerely,
Ms. Briana Zuchowski

From: camille
To: dot.sm.kensingtonexpressway
Subject: Kensington expressway
Date: Thursday, September 28, 2023 7:50:08 AM

As a Eastside resident, I am NOT in favor of the new project the DOT is implementing. These people don't live on the Eastside, they don't travel to and from work or probably ANYWHERE else through the eastside, yet they feel they know what's best for eastside residents, well they don't. A valid vote by residents should be made, and made public so people are aware this is going on, multiple voting sites on different dates at different locations throughout the eastside so EVERYONE on the east side is involved and/or have the opportunity to be involved.
Concerned tax paying citizen from the eastside of Buffalo, ny

From:
Sent: Friday, October 27, 2023 11:15 AM
To:
Subject: [Ext] PIN 5512.52 Kensington Expressway Project Comment Form

Name: Ian
Address:
Phone:
Email:
Include on future project updates: NO
Affiliation:
Comment: This is quite possibly the worst idea this is your solution to a neighborhood that was destroyed by the creation of the 33? Spending all this taxpayer money on The worst possible solutions. Is this what they paid somebody to study? And it's result?

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From: Comment via East Side Parkways Coalition
To: dot.sm.kensingtonexpressway
Subject: Comment for the Kensington Expressway Project from Mark
Date: Friday, November 10, 2023 10:47:50 PM

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To the New York State Department of Transportation

* I do NOT want toxic exhaust plumes directed out tunnel ends toward our neighborhoods, schools, churches, and community centers.
* I do NOT want a tunnel that does not comply with Climate Leadership and Community Protection Act (CLCPA) mandates.
* I do NOT want blasting to take place for tunnel construction, and I am concerned about asbestos containment.
* I do NOT want this expressway to cut through our neighborhoods—period!

* I DO want improved air quality for all Humboldt Parkway and nearby residents, in order to provide a healthier future for our children and grandchildren.
* I DO want a project that complies with all CLCPA mandates, and rightfully considers additional alternatives to "build" and "no build," including expressway removal.
* I DO want an Environmental Impact Statement (EIS) for this project, that rightfully considers additional alternatives and engages our communities in the process.
* I DO want to see the full restoration of Humboldt Parkway from MLK Jr. Park to Delaware Park.

Name
Mark
Email

Date
11/10/23

Note: All comments to the NYS DOT become part of the permanent public record of this project.

cc: Governor Kathy Hochul, Mayor Byron Brown, Senator Chuck Shumer, Senator Kirsten Gillebrand, Rep. Brian Higgins, Senator Tim Kennedy, Assemblywoman Crystal Peoples-Stokes.

This form submitted at: https://www.eastsideparkwayscoalition.com/dot-comment/

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